



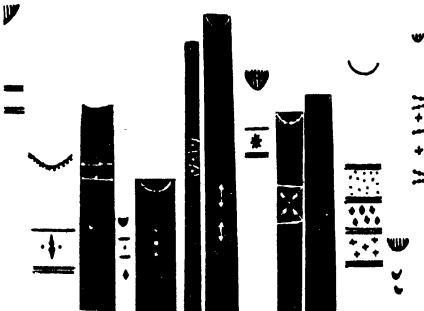
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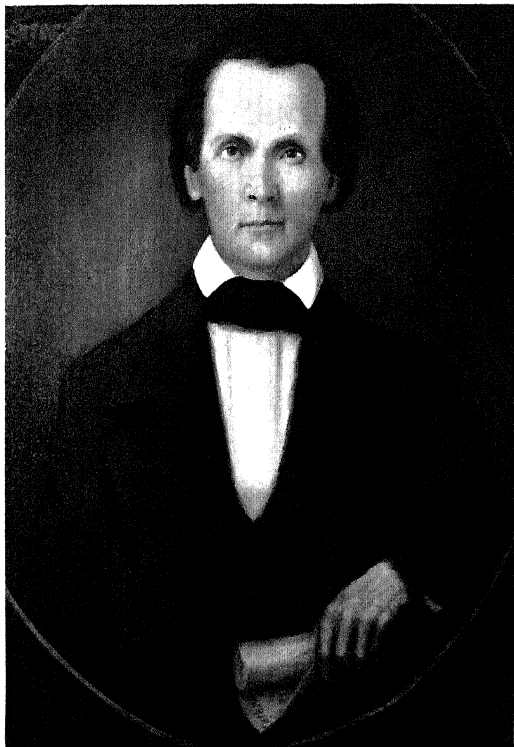
## The Lakeside Classics

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42.	Growing Up with Southern Illinois by Daniel Harmon Brush.....	1944
43.	A History of Illinois by Gov. Thomas Ford...	1945

## A History of Illinois







GOVERNOR THOMAS FORD

Reproduced from oil painting by William Camm in the  
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The Lakeside Classics

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A History of Illinois

*from its  
Commencement as a State  
in 1818 to 1847*

VOLUME I

BY GOV. THOMAS FORD

EDITED BY

MILO MILTON QUAlFE

SECRETARY OF

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CHICAGO

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R. R. DONNELLEY & SONS Co.

*Christmas, 1945*





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## Publishers' Preface

THE publishers are happy that during the scarcity of paper and in spite of the labor disturbances which have followed the ending of the war they have been able to avoid a breach in the continuity of the yearly volume of the Lakeside Classics.

During the forty years of searching for suitable material for the year's volume of the Lakeside Classics, the requirements have gradually crystallized into the following formula:

First: The book cannot be a history, but a personal relation of the author telling his or her adventures and the ways of life during the years of exploration, immigration, settlement, and development of the vast territory called the West. (One of our recipients writes that his little daughter calls the series "the I books.")

Second: It must be a tale that will hold the interest of readers of very diverse tastes.

Third: It must be long enough to make a reasonably sized book, but not so long that its thickness would destroy the attractiveness of the volume.

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## Publishers' Preface

This year the publishers have dared to break their own formula in order to bring *Ford's History of Illinois* into the fellowship of the Lakeside Classics. While the title of the book calls it a "history," it is also a personal relation of the author's life as a politician in a pioneer state developing by the cut and try method. Ford held political offices for nearly twenty years, beginning as a state's attorney and ending with his retirement as governor in 1846. Ford was a philosopher as well as a historian, and as the book was written after his retirement from public life, he told the story as he saw it.

Ford wrote his history in the hope that the profits from its sale would help support his five penniless children. The book was finished in 1847, but was not published until 1854, four years after his death. The sale of the book was a disappointment, and his children received only a pittance from it.

The present Publishers have an apology to make. The history, printed in one volume, would make a clumsy book, so they are printing the first seven chapters as this year's volume, and are asking the recipients to wait for the other half which will be issued in 1946.

For thirty-seven years The Lakeside Press has been operated as an open shop, without any labor interference, but this year the

## Publishers' Preface

Pressmen's Union called a strike because The Company refused to grant the closed shop or union maintenance. This strike was followed by sympathetic strikes in five other departments, but a large majority of the employees remained loyal, enabling all magazines to be issued on schedule. Most of those employees who failed to report the first day began the second day to filter in, and after seven weeks the strikes were called off "unconditionally." The loyalty demonstrated by the staff was a great satisfaction to the publishers and an evidence that there could be such a thing as a common interest between employer and employee.

The publishers hope that the freedom of their employees to join or not join a union as they desire can be maintained for many years.

With wishes for a Merry Christmas and a Peaceful New Year, we remain,

Sincerely yours,

THE PUBLISHERS.

Christmas, 1945.



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## Historical Introduction





## Historical Introduction

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IF the thirty governors who have ruled the commonwealth of Illinois since its admission to statehood in 1818 were listed in the order of their usefulness the name of Thomas Ford would be found among the foremost. If they were arrayed in the order of the poverty which attended their early and declining years, his name would again almost certainly head the list.

The future Governor of Illinois was born to an obscure station in life near Uniontown, Pennsylvania, December 5, 1800. His maternal grandparents, Hugh Logue and Isabella Delany, were immigrants to America from Ireland. His father, Robert Ford, belonged to a numerous family clan inhabiting Delaware and the Maryland Eastern Shore. His mother was twice married and both unions terminated in tragedies. Her first husband, a Revolutionary soldier named Forquer, was killed in a coal mine accident; the second, Robert Ford, disappeared in 1803, presumably killed by highwaymen, although no definite evidence of his fate is available.

## Historical Introduction

The twice-widowed woman was left with a large brood of children, several of them of but tender years. Evidently she possessed both pluck and energy, for in 1804 she set out for Spanish Missouri, lured thither, according to one report, by the prospect of obtaining free land from the Spanish government. She arrived in St. Louis to find the Americans in possession and no free land in prospect. Lacking funds to purchase it, after a short stay in St. Louis she removed with her flock of seven children to New Design in Randolph (now Monroe) County, Illinois.

The "short and simple annals of the poor" devoted scant space to Widow Ford's family fortunes. There were then but a few thousand white people in all Illinois, and they knew nothing of the twentieth-century philosophy that society owes everyone a comfortable living. Life on the frontier was rude at its best, and the lot of the widow and orphan was commonly shocking enough. The Fords were desperately poor and the mother was hard pressed to keep her family intact and the wolf from her door. School facilities were rudimentary, (the schooling of Araham Lincoln suggests something of their character) and the attendance of the Ford children was frequently interrupted by the

## Historical Introduction

necessity of working on the rented farm or as hired hands employed by neighbors. Yet Thomas Ford, who proved to be a studious boy, somehow learned to read and write and to cipher to the "Rule of Three." By working at home without an instructor, in such spare time as he could snatch, he made some progress in grammar, arithmetic, and geography; and about the age of ten he devoured all the miscellaneous prose and poetical works (evidently not very many) that came into his hands.<sup>1</sup>

At this point we encounter a contradiction which our scanty store of information leaves us unable to resolve. It would seem that such a boy as the Governor describes himself to have been must have possessed more than ordinary pluck and ambition.<sup>2</sup> Yet

<sup>1</sup> A short autobiography, found among Governor Ford's papers after his death and apparently intended for publication in a book dealing with lives of the governors, gives considerable information about Ford's early years. For it see McCulloch, *History of Peoria County* (Vol. II of Bateman and Selby's *Historical Encyclopedia of Illinois*, Peoria County edition, Chicago, 1902), 451-52; first published in the *Peoria Democratic Press*, Dec. 18, 1850. See also Dr. John F. Snyder, most diligent student of Ford's family history, "Governor Ford and his Family," in *Ill. State Hist. Soc. Journal*, III, July, 1910, pp. 46-51.

<sup>2</sup> Similarity to the story of Abraham Lincoln's early years will not escape the attentive reader.

## Historical Introduction

many who knew him in later life doubted that he had any ambition or initiative at all, and ascribed such activity as he displayed to the guidance and encouragement of his half-brother, six years his elder, George Forquer.

The boy himself was a scrawny, undersized child, inordinately diffident and sensitive. Forquer, on the contrary brimmed over with energy and ambition. On leaving home he apprenticed himself to a carpenter in St. Louis and after mastering the craft worked at it until he had saved enough to embark as a speculator and merchant. In partnership with Daniel P. Cook he platted and sold the town site of Waterloo and when he failed in business he found a new and successful career as a lawyer and politician. He was elected to the State Legislature and in 1825 was appointed Secretary of State by Governor Coles. From this time onward until his death in 1837 he was a prominent leader in Illinois politics.

It was Thomas Ford's rare good fortune to have such a man for foster-father. Forquer encouraged him to study law and when it became apparent that his preparatory education was inadequate, he sent him to Transylvania University in 1818 to improve it.

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Before the close of Ford's first year there, Forquer's failure in business compelled his withdrawal. He set out on foot for Illinois, a journey of several hundred miles. His funds became exhausted enroute and somewhere in Indiana he persuaded a group of pioneers to erect a schoolhouse and engage him as their schoolmaster. To the end of his life he recalled with pride his success in this enterprise.

Back in Illinois and still but eighteen years of age, he worked on the farm, taught school, and studied law as means and time permitted until 1824, when Duff Green offered him a position on the St. Louis newspaper he was utilizing to promote the candidacy of General Jackson for the Presidency. He remained six months at this employment, when he entered upon the practice of law at Edwardsville in partnership with his half-brother, George Forquer.

Near Edwardsville lived a German farmer, Henry Hambaugh, whose family now enters our story. Hambaugh had several sons and at least one daughter named Frances. She was fair to look upon and in the spring of 1828, when she was sixteen years of age, Thomas Ford was married to her by a justice of the peace at Edwardsville. Since the bride and her family were Catholics, the

## Historical Introduction

young couple underwent a second marriage ceremony in the old church at Cahokia in September following.

In the following year Ford terminated the partnership with his brother-in-law and removed to Galena, there to carve out a new career. Galena was then a roaring mining camp where the foundations of society were being laid to the accompaniment of gambling, gun play, and riotous living generally. A character less fitted than Ford to prosper in such a community would have been hard to find. Hard pressed, as always, to make ends meet, he competed unsuccessfully for the office of justice of the peace and passed weary days hopefully awaiting a client. From this predicament he was rescued by Forquer who procured his appointment by the Governor as state's attorney of the Fifth Judicial District, embracing the territory lying between the Illinois and the Mississippi rivers. Meanwhile in 1828 Henry Hambaugh had become one of the first settlers of present Versailles Township in Brown County. The new farm was about forty miles east of Quincy, and Ford now removed from Galena to that place in order to be nearer his wife's parents. To them he clung for shelter for his family during much of the remainder of his life.



MRS. FRANCES HAMBAUGH FORD

Reproduced from photograph in the Illinois State Historical  
Library





## Historical Introduction

He continued to serve as state's attorney until 1835 when he was elected a Circuit Court Judge by the State Legislature. In his autobiography he relates with apparent pride that he was four times elected by the Legislature without opposition to the Circuit and the Supreme benches, and that he held the latter office when he resigned to run for Governor in 1842.

His election to the Supreme Bench came about as the consequence of a famous political quarrel, wherein the existing judges (four in number) rendered a decision which angered the Democratic majority in the state Legislature. To punish them, and to reverse their verdict, the Legislature in 1840 "reformed" the court by creating five additional justices, all of whom, of course, were Democrats. Thus it will be seen that Supreme Court "purges" are no new thing in America and the celebrated one of 1937 was merely a case of history repeating itself. One of the newly-appointed judges was Ford, who was assigned to the Northern Judicial Circuit. For several years he had been making his home with his wife's parents on the Hambaugh farm. He now removed to the then new town of Oregon in Ogle County, a more central location from which to conduct his judicial tours. All of north-

## Historical Introduction

ern Illinois was still a raw pioneer region, and Ogle County was so new that Ford himself is said to have selected the name it bears.

Two years later, in the midst of an electoral campaign the Democratic candidate for Governor died and Ford was put forward to fill the vacant candidacy. From the point of view of his personal happiness his election as Governor was a great pity. His philosophic intellect was well suited to the Bench, where he had been successful and probably happy, while his shrinking disposition and his dislike for the ruder contacts of life augured ill for his success in the rough arena of frontier Illinois politics. Moreover he was not the leader of his party, which never accorded him its full support. Of all this he was painfully aware, as he was of the loss of his guardian and mentor through life hitherto, George Forquer, who had died in 1837. Ballance relates that his diffidence was such that when he undertook to read his inaugural address in the presence of the General Assembly he was unable to complete it. "He had read but a small way when his voice failed and he sunk down in the seat or table on which he was standing. Hon. John Calhoun . . . rose as the Governor sank down and took the paper

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from his hand and read it with a clear, strong voice."<sup>3</sup>

Diffidence notwithstanding, Ford had developed very clear-cut ideas of the dignity of the law and the value of financial and moral integrity. As governor, he assumed direction of a state which was practically bankrupt and a large proportion of whose citizens were willing to fasten upon the commonwealth the disgrace of Repudiation, with all its attendant evils. Against such a course Governor Ford interposed all his authority and influence; and when he seemed about to fail he called to his aid his friend and former judicial colleague, Stephen A. Douglas, who rose from a sick bed to blast the members of the Legislature, assembled in joint session, with the taunt that their children and their children's children would curse their names if they should dare to blacken the reputation of the state with such a dishonorable action.<sup>4</sup>

Repudiation was defeated, and under Governor Ford's leadership a beginning was made of leading the state out of the financial morass into which the rainbow-chasing pol-

<sup>3</sup> *History of Peoria*, 250.

<sup>4</sup> P. J. Rennick, "Courts and Lawyers in Northern and Western Illinois," *Ill. State Hist. Soc. Journal*, XXX, 324 (October, 1937).

## Historical Introduction

iticians of the preceding decade had plunged it. The results are effectively portrayed by Governor Ford himself in the closing pages of his *History*. The judgment of an able historian of a subsequent century is in substantial agreement with the Governor's own retrospective view of his administration. "Between the Illinois of 1837 and the Illinois of 1847-48," he observes, "there was all the difference between light-hearted reckless youth and sober responsible manhood. The State by democratic machinery of government had chosen a man to extricate it from the results of its errors and headlong extravagance. . . . Undertaking in the end the payment of her debt the State acquired the respect of the world and acquired political experience and judgment which were to fit it for active and efficient participation in the great affairs of the Union during the next twenty years."<sup>5</sup>

From this résumé of public affairs we turn to Governor Ford's private and domestic concerns. Of his diffidence enough has been said. Ballance, who knew and was sharply critical of him, draws this picture of his per-

<sup>5</sup> Theodore C. Pease, *The Frontier State*, chap. XVII.

## Historical Introduction

sonal characteristics; "He was a small man with features indicating one from the lower rather than the upper walks of life. His nose was rather sharp and bent a little to one side. He was plain and unpretending in his manners. He was no orator in the common acceptation of the word; but what he said was to the point. . . . He reasoned well, not so much by any show of logic as by clever distinct statements. Though his mind was not far-reaching, it was never in a cloud. Whatever he saw, he saw clearly. . . . He was not religious in the common acceptation of the word; yet up to his forty-second year he lived as pure a life as any man I know."<sup>6</sup>

The qualification is significant, for Ford's "forty-second" year was the one in which he became governor. The same neighbor and critic relates that during his term of office "the harpies about the capitol" led him into habits which hastened his death, and which he vainly strove to reform. These statements, if true, shed light upon the conditions, physical and otherwise, attending the writing of the *History*. At the expiration of his term as Governor in January, 1846 Ford retired to his father-in-law's farm to

<sup>6</sup> *History of Peoria* (Peoria, 1870), 254-55.

## Historical Introduction

devote himself to this task, and mid-April, 1847, saw it practically completed.<sup>7</sup>

He had already planned to remove to Peoria to take up anew the practice of law. Peoria was then one of the few even moderately sizeable cities of Illinois, and Ford's long service as state's attorney and judge in northern Illinois had given him an extensive acquaintance throughout the entire region. Yet the story of his three-year's sojourn there is one of unrelieved poverty and defeat. Mrs. Ford, afflicted with a cancer, died October 12, 1850 at the early age of thirty-eight. Three weeks later, on November 3, he followed her to the grave.<sup>8</sup> Left behind were five orphaned children, penniless and of tender years, to face the world as best they might. To the credit of common humanity, all were taken in charge by considerate townsmen, and reared in homes which were better than their own father could provide. In his closing weeks he had

<sup>7</sup> Statements in Author's prefatory note "To the Public" and in his letter to Governor Dodge, April 13, 1847. Comment upon the significance of the date of writing the *History* will presently follow.

<sup>8</sup> His death is commonly ascribed to tuberculosis. Ballance, however, writing in 1870, firmly insists that his relatively early demise was caused by the bad habits acquired at Springfield. Apparently this means over-indulgence in liquor.

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been an object of charity, and his funeral expenses were met by the gifts of a group of citizens.

Such was the sorry end of the man who had saved the State of Illinois from the foul disgrace of Repudiation of debts. Even sorer is the story of some of his children, five in number.<sup>9</sup>

These were Ann, born in 1835 on the Hambaugh farm; Mary Frances born on the Hambaugh farm, July 26, 1837; Julia, born in 1841 at the Hambaugh farm; George Seuel, born in 1843, probably at Springfield; and Thomas, born in 1846, probably at the Hambaugh farm.

All of the children were given homes in Peoria and such education as circumstances permitted. Ann, the eldest, and Mary Frances, the second child, became the wards of Doctor Edward Dickinson and remained in his home until their respective marriages. George Seuel (who seems frequently to

<sup>9</sup> Fullest account of the children of Governor Ford is Dr. J. F. Snyder's "The Two Sons of Governor Ford," a manuscript in the Illinois State Hist. Library. See also the same author's "Governor Ford and his Family" in Ill. State Hist. Soc. *Journal*, III, July, 1910, pp. 45-51; *ibid*, April, 1910, pp. 102-108; account of death of Ann (Ford) Davies, in Ill. State Hist. Soc. *Transactions* for 1911, p. 114; *Journal*, III, April, 1910, 102-108.

## Historical Introduction

have been known by his second name) was taken in charge by Jonathan K. Cooper, a lawyer of Peoria. Julia became the ward of Henry I. Rugg and lived in his home until her death, unmarried, in 1862; Thomas, the youngest child, became the ward of Thomas C. Moore, a hardware merchant.

The fate of Julia has already been noted. That of Mary Frances calls for but brief attention. She married John J. Bailey on April 15, 1858, lived a long and apparently normal happy middle class life, mothered eight children, and died at her home in St. Louis one day after her seventy-second birthday, July 27, 1909. Less fortunate was Ann Ford, Dr. Dickinson's second ward, who married A. D. Daviess, a printer, in 1862. He is reputed to have been a somewhat brilliant man, of erratic habits, whose career and home alike were ruined by addiction to liquor. He died about 1878 and his widow for many years made her home with her daughter, Mrs. Henry Gambrel of Middletown, Illinois. Gambrel, the son-in-law, was an industrious man who supported his wife and six children as well as Mrs. Daviess until after the death of his wife, when Mrs. Daviess fell sick and, Gambrel being unable to care for her, became a county charge. She was "a desolate, heart-broken old



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woman" who repelled all inquiries concerning her past, and whose relationship to Governor Ford was unknown in the community. When the county authorities learned of it, they refrained from committing her to the Poor Farm, placing her instead in the Lutheran Deaconess Hospital at Lincoln, where she remained until her death, three years later. During this period she received all needful care, and was the object of attentions of the rector of the Episcopal Church and the ladies of the parish, who had learned that Mrs. Daviess was an Episcopalian. She died March 17, 1910, and like her father sixty years earlier was given a fitting funeral and buried by considerate townsmen.

Unhappier still was the fate of the two sons of Governor Ford.<sup>10</sup> Although both enjoyed excellent rearing, neither made glad the heart of his benefactor. Both were remembered years later by childhood contemporaries as pleasant, friendly boys, whose early lives gave no advance inkling of their later shocking destinies. Both had excellent opportunities for a professional education, which they lacked the perseverance or am-

<sup>10</sup> For the careers of the two we are chiefly dependent upon the diligent investigation conducted by Dr. J. F. Snyder in 1910-1911 and recorded in his manuscript narrative "The Two Sons of Governor Ford."

## Historical Introduction

bition to improve: whether this failing was an inheritance from their father, one can only speculate.

Seuel, whose foster father was a lawyer, thrust aside the prospect of a legal career and on August 20, 1862, at the age of nineteen enlisted in the Forty-seventh Illinois Infantry. After a commonplace military career of three years his regiment was mustered out, July 25, 1865, and he returned to Peoria. The following year he left Illinois for southern Kansas, then a rough frontier area, and for several years his relatives heard but little from him.

Meanwhile Thomas, four years younger than Seuel, had grown to manhood in the excellent home of T. C. Moore. According to the old-time memories of his associates he had every advantage of moral and cultural training, but he totally lacked the desire to improve or exert himself. Through Moore's influence he obtained employment as a reporter on the *Transcript* where his superior describes him as "a rollicking good-natured fellow of the type easily influenced in any direction."

In August, 1870, Thomas received from his long-absent brother, now at Wichita, a letter urging him to come to Kansas and join Seuel on a buffalo hunt the ensuing

## Historical Introduction

winter, on which the writer was confident \$1000 could be made in four months' time. Seuel sent his respects to Mr. Cooper and expressed the hope that before another year he could come home and settle down in some business. "God knows I have had my share of hardships and ill fortune to endure in the last five years," he concludes. "Sometimes up and sometimes down, more times down than up though."

To Dr. Snyder, "reading between the lines," the letter indicated that the writer was already engaged in rustling live stock, and, presumably, inviting his younger brother to join him in this lawless career. I am unable to perceive this, which Snyder says is confirmed by the next letter home, written to Mrs. Ann Daviess, November 1, 1870. Evidently she had told Seuel of her unhappy domestic plight, and he responded by urging her to come to Wichita and join him in his hunt. He added the startling information that he was going by the name of Charles P. Smith and that he had made a vow to kill Daviess if he should ever meet him.

Evidently Mrs. Daviess did not accept Seuel's invitation, but Thomas Ford did. In April, 1871, T. C. Moore wrote to Mrs. Bailey at St. Louis expressing his "strong desire" for the welfare of both boys and the

## Historical Introduction

wish that they might settle down to some regular calling which would give hope of a promising future. From this time onward the detailed facts concerning the brothers are much confused but the broad results are dreadfully clear. In the autumn of 1872 Thomas was hung as a horse thief near Caldwell, Kansas, by a lynching party. Two years later, in 1874, Seuel and two other outlaws were hung from the same branch of a tree near Wellington, Kansas, by another lynching party.

A flood of stories, frequently contradictory, have been told about the lives of the two brothers in Kansas. One represents that Thomas was not a thief at all, but was lynched by mistake. According to this version he was going afoot from one place in Kansas to another when a band of regulators in pursuit of a horse thief overtook him and ignoring his protestations of innocence summarily hung him. A variant version represents that the real thief, driving along the highway with horse and buggy, overtook Thomas, afoot, and invited him to ride. The regulators thus came upon them and hung both men, although both protested that Thomas was innocent.

As for Seuel, it is related that he was determined upon vengeance upon the murder-

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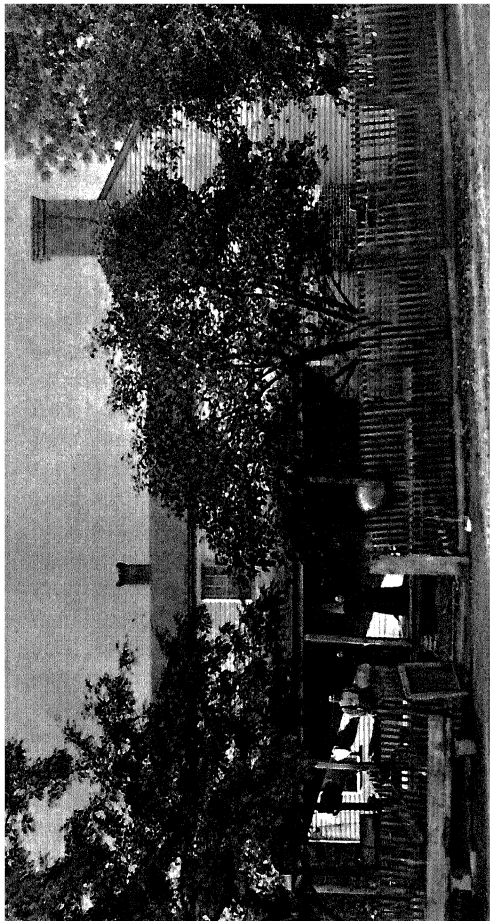
ers of Thomas, and they forestalled legal and possibly other trouble by hanging him also. Such tales are not convincing, nor did they convince Dr. Snyder, who reluctantly concluded, as the result of his investigation, that both men were rustlers and were hung for their crimes. The difficulty about establishing their fate grew in part from the fact that no one in Kansas knew them as Fords: Seuel was known as "Charley Smith" and his brother as "Tom Smith," or, on occasion, as "Moore." It was not until forty years had passed that Dr. Snyder obtained from a relative Seuel Ford's letter of Nov. 1, 1870 to Mrs. Daviess, instructing her to address him as Charles P. Smith, the name by which he was known in Kansas. This information supplied the link, missing theretofore, in the identification of the Smith brothers as the sons of Governor Ford.<sup>11</sup>

<sup>11</sup> In 1892 G. D. Freeman of Caldwell, Kansas, published an interesting book with an imposing title; *Midnight and Noonday. Or The Incidental History of Southern Kansas and the Indian Territory Giving Twenty Years Experience on the Frontiers; Also the Murder of Pat. Hennesey, and the Hanging of Tom Smith at Ryland's Ford and Facts Concerning the Talbot Raid on Caldwell. Also the Death-dealing Career of McCarty and Incidents Happening in and around Caldwell, Kansas from 1871 until 1890.* In it are detailed first-hand accounts of the misdeeds and the lynching of both "Smith" brothers.

## Historical Introduction

Since the time and circumstances of the composition of the *History* have been frequently misstated, a detailed clarification is in order here. The Hambaugh farm which so long sheltered the Governor and his family is about two miles southeast of the village of Versailles adjoining the highway to Meredosia, being the east half of the north-east quarter of Section 28, Versailles Township, Brown County. It was located in 1827 by a son of Henry Hambaugh, who came north from Edwardsville in that year on a land-seeking tour, to be followed by the family in 1828. The farm lies at the edge of the bluff which hems the Illinois River bottom land, and the cabin site on the low ground was beside a spring which gushed out of the side of the bluff.<sup>12</sup> A decade of indus-

<sup>12</sup> Information derived from interview with J. Roy Stone and his brother, Randall H. Stone of Versailles, July 26, 1945, and from inspection of the site under guidance of J. Roy and Louis Stone (another brother). Their father, John Stone, bought the farm from the Hambaugh heirs in or about 1895; J. Roy Stone was born in the house in 1896 and he and his brothers passed much of their boyhood there. The photograph of the house was taken about the year 1900 by Mr. A. G. Bates, a neighbor, now the druggist of Versailles. John and Ida Stone, parents of J. Roy and his brothers, are the two persons seen standing at left and in center of the group shown in the picture. Identity of the lady at right has been forgotten.



WHERE THE HISTORY WAS WRITTEN

Hambaugh Home near Versailles. Photo taken about 1900 by Mr. A. G. Bates of Versailles





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try devoted to the soil made possible the erection not far from the original cabin site in 1838 of the first (or left-hand) portion of the permanent farm home. To it was added in 1844 the major, right-hand section, completing the house as it stood in 1846 when the *History* was being written in it. Two generations of Hambaugh's occupied the farm, serving the community as stable and industrious citizens.<sup>13</sup> Then, as commonly happens in America, the family died out or otherwise vanished from the community. About 1895 the farm was purchased by John Stone, who in 1929 sold it to the present owner. Stone lived in the house until 1908, when he razed the portion built in 1838, utilizing the lumber and the foundation stones in the erection of a new house a short distance away. The second or "upright" portion, built in 1844, was made to do duty as a hay barn until it, too, was razed about 1938 or 1939. Today a cultivated field covers the site of the homestead, whose only remaining vestige is the well, although atop the bluff a few rods distant the dust of the original pioneer and various of his relatives reposes in a tiny

<sup>13</sup> One member of the family was a Civil War Captain; another a member of the State Legislature and a notable apiarist.

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cemetery, beautiful for situation and outlook.

The facts thus recited will serve to correct certain grave misapprehensions concerning the production of the *History*.

Commonly it is stated that Governor Ford prepared it at the close of life in the hope that from its sale a support might be provided for his children; occasionally the circumstance of his last illness is cited as accounting for some of the defects of the narrative.<sup>14</sup> But the book itself shows that it was completed by mid-April 1847, and was then expected to be published during the summer of that year. Governor Ford was then but forty-six years of age and was looking forward, hopefully we may believe, to the resumption of his law practice at Peoria. Quite certainly he was not anticipating his early demise when he began the book in 1846 or when he finished it a year later; nor, although he had but little property, was he then expecting to become an object of charity or to leave his children penniless to the care of strangers.

One cannot expect an active participant in the political life of his time to narrate its

<sup>14</sup> E. G., Prof. T. C. Pease in *Dict. American Biog.*; Ill. State Hist. Soc. *Journal*, III, April, 1910, p. 103; Charles M. Thompson in *Ill. Hist. Colls.*, VII, p. CXVII.

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story with entire objectivity. Governor Ford shared the inability of all mortals to view their own time and actions with the detachment and wisdom reserved to men of a future century. Five generations of men have lived and died since the American Revolution, yet still hatred of King George III is a potent factor in American politics, and but few descendants of the Rebels of 1775 can think or write objectively about such men as Benedict Arnold and Simon Girty.

So it will be, no doubt, with Adolph Hitler and his infamous crew of associates; our children's children will hardly be able to consider their careers with objective detachment. Governor Ford fought many a bitter battle, in which he not infrequently suffered humiliation and defeat; and it is a common criticism of his *History* that his estimates of his contemporaries are often unfair and too severe. Another criticism is that, writing without immediate access to records and dependent to too great a degree upon memory, he committed numerous errors of factual detail. These, of course, are relatively unimportant, since they can be corrected in large part by any careful editor.

For the rest, competent observers have long since united in placing a high estimate upon the volume, "one of the earliest books

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on the philosophy of American history." Professor Pease characterizes it as one of the two or three remarkable books written in the State during the formative period; and adds that only the disillusioned cynicism with which it is written has prevented its recognition as "one of the clearest and most subtle analyses of American politics;"<sup>15</sup> while Charles M. Thompson, author of a thorough-going study of Governor Ford's Administration, calls it "a remarkably accurate contemporaneous account of an important period of the state's history" and "worthy of the emulation of public men of every age."<sup>16</sup>

Disappointed in his plans for earlier publication of the *History* and dying in poverty in November, 1850, Governor Ford committed his manuscript to General James Shields, a leading Democrat of his time in Illinois whom Ford had appointed to the Supreme Court in 1843. Evidently it was at this juncture that the hope of providing something for his children from the sale of the book occurred to the mind of the dying Governor. Shields accepted the charge, but despite repeated efforts was unable until 1854 to procure publication of the book upon

<sup>15</sup> *The Frontier State*, 316.

<sup>16</sup> *Ill. Hist. Colls.*, p. CXLL.

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terms which would secure a portion of the expected returns to the children.<sup>17</sup>

<sup>17</sup> See General Shields' "Introduction" to the *History*. In 1910 it was charged that instead of his family receiving the royalty "which would have made them independent" each child received "only a paltry hundred dollars." Ill. State Hist. Soc. *Journal*, III, April 1910, p. 104. The same writer adds that over one-half of the manuscript was suppressed by the publisher, "owing to the exposures therein contained." If so, it was a great loss to posterity. But both accusations seem unfounded. General Shields expressly states that he felt bound both to publish the book and "to abstain from making any alteration in the text." As for the income derived from the estate and from sales of the book, McCulloch long since supplied what seems to be a precise statement (*History of Peoria*, Chicago, 1902, p. 451-52). The net sum realized from Governor Ford's estate was \$148.06. From the *History* the sum of \$750 was realized, or \$150 for each of the five children. Their guardian invested the funds in Peoria and Bureau Valley Railway stock at \$70 to \$80 per share, paying dividends of 8% on the par value. The sums realized were of course hopelessly inadequate to the rearing of the children; this was provided for by the several individuals who adopted them. A letter-writer signing as "Justice" in the *Peoria Weekly Republican* April 20, 1855, complained of the handling of the book. He stated that over 7000 copies had been published in two styles of binding, one to sell at \$1.25, the other at \$2.50 per copy. The publisher's contract allowed the children a royalty of 12½ cents per book sold, whereas "Justice" estimated the profit on the cheaper binding at 30 cents and on the more expensive binding at 80 cents. See Ill. State Hist. Soc. *Journal*, XXXVIII (June, 1945), 244-45.

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Although there has been but one edition of the *History* published until now, there were evidently two or more printings of it. Before me are two copies of the book having identical bindings and title pages save for the fact that instead of the correct date, 1818 (for the admission of Illinois), one reads *A History of Illinois from its Commencement as a State in 1814 to 1847*. On the copyright page is the statement that it was entered "in the clerk's office of the District Court for the Northern District of New York." Below are the statements that it was "stereotyped by Thomas B. Smith, 216 William St." and that it was "Printed by John F. Trow 49 Ann St." Presumably this is an example of the first printing of the book. The other, or second, title page substitutes the correct date, "1818" for "1814"; while the copyright notice states that it was entered "in the Clerk's Office of the District Court for the Northern District of Illinois," and omits the statement that it was printed by Trow. Finally, Mr. G. C. Terry of Polo, Illinois, has noted that on page 321, line 8 of the supposed first printing the word "Mormons" is spelled "Mormans"; while in the second printing the word is correctly spelled. This correction and the changes noted on title and copyright pages seem to establish the

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fact that there were two printings of the first edition of the book.

It remains to advise the reader concerning certain editorial procedures employed in the present reprint of Governor Ford's *History*. In general the contents of the original edition have been faithfully reproduced; but a relatively small number of obvious misprints or like errors have been corrected without notice to the reader, and a large proportion of the commas which the printers of a century ago sprinkled over their pages, and which serve only to confuse or irritate the modern reader, have been excised. The extensive topical chapter headings of the original book have also been excised in favor of an index to be provided by the Editor; while the present titles of chapters and the explanatory foot notes have also been supplied by him. Although attention has been called to errors where these were evident to the Editor, lack of detailed knowledge of the minutiae of Illinois politics and personages a century ago has doubtless prevented him from catching many which a specialist in the local history of the period might note.

The original *History* contains 447 pages, and is much too long for inclusion in a single Lakeside Classics volume. As a matter of

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practical necessity, therefore, only seven chapters, approximately the first half of it, are reproduced in the present volume. The six remaining chapters, covering the story of Illinois from 1840 to 1846, are reserved for the succeeding volume. Our present readers may confidently anticipate finding it a lively and informative book.

There is some uncertainty concerning the portrait of Governor Ford, which is supposed to have been painted by Colonel William Camm of Winchester. He was born in England in 1837 and was brought to Illinois in childhood by his parents. He dabbled in oils and is reputed to have painted a portrait of Abraham Lincoln from actual sittings in 1858. Before his death in 1906 he gave the Ford and Lincoln portraits to his daughter-in-law, who in 1935 sold the former to the Illinois State Historical Library. She had no information concerning the time or circumstances of making the portrait, and since Camm was but a boy of seventeen when Governor Ford died, one may reasonably doubt that the painting was made from actual life. It may, of course, have been made from a daguerreotype likeness of the Governor to which Colonel Camm had access. The artist was an early and ardent student of political economy, and this charac-



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teristic would account for his interest in Governor Ford.

The reproduction of Mrs. Ford (also supplied by the Illinois State Historical Library) is from a crayon portrait of Mrs. Ford and her eldest daughter, Ann, showing the latter as a child. Whether the crayon was made from some earlier picture, and when, are details concerning which no information has been obtained.

For aid and courtesies received, the Editor records his grateful acknowledgement to Miss Margaret A. Flint, assistant Librarian of the Illinois State Historical Society Library; to Miss Margaret C. Norton, State Archivist of Illinois; and to J. Roy Stone, Louis Stone, and Randall H. Stone of Versailles, Illinois.

M. M. QUAlFE

Detroit Public Library  
September, 1945



# HISTORY OF ILLINOIS,

FROM ITS

COMMENCEMENT AS A STATE IN 1818 TO 1847.

CONTAINING A

FULL ACCOUNT OF THE BLACK HAWK WAR, THE RISE, PROGRESS,  
AND FALL OF MORMONISM, THE ALTON AND LOVEJOY RIOTS,  
AND OTHER IMPORTANT AND INTERESING EVENTS.

BY THE LATE

GOV. THOMAS FORD.

CHICAGO :

PUBLISHED BY S. C. GRIGGS & CO.,

111 LAKE STREET.

NEW YORK: IVISON & PHINNEY.

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1854.



# Introduction

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BY GEN. JAMES SHIELDS

IN 1850 while the author of this work was on his death-bed he placed in my hands a manuscript, with the contents of which I was then wholly unacquainted, with the injunction that after his decease I should have it published for the benefit of his family. He soon after departed this life, leaving his orphan children in a destitute condition.

In compliance with his dying request I made repeated efforts to have the work published on terms that might secure some percentage to the orphans, but until my arrangements with the present publishers all these efforts proved unsuccessful. By this arrangement the children will receive a liberal percentage on the sales of the work.

The author during his whole life had very favorable opportunities for observing events and collecting information connected with the history of his State. He was yet a child when his parents emigrated to Illinois. On arriving at maturity he was there admitted to the bar, and practised his profession for many years with very considerable success. He was afterwards elected an Associate Justice of the Supreme Court of the State and

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discharged the duties of that responsible station with distinguished ability. Subsequently he was chosen Governor of the State, which was the last public office he held. From this office he retired to private life, and during his retirement prepared this history for publication. His opinions of men and measures are very freely and unreservedly expressed; but they may be regarded as the opinions of a man of strong feelings, who took such an active part in many of the scenes which he represents that it was impossible for him to describe them with ordinary moderation.

I regret the severity of some of the author's judgments and the censure with which he assails the character of some of our public men who are both my personal and political friends; but I feel it to be incumbent upon me by the very nature and circumstances of the trust not only to have the work published according to his injunction, for the purpose intended by him, but also to abstain from making any alteration in the text. I therefore give it to the public just as I received it from the hands of the author and with the sincere hope, for the sake of his destitute children, that it may meet with an indulgent and generous reception.

WASHINGTON, Feb. 3d, 1854.

## To the Public

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THE author of this history has lived in Illinois from the year 1804 up to this time; he attended the first session of the Legislature under the State government at Kaskaskia in 1818-'19; and has been present at every session from 1825 up to 1847. He has not only had the means of becoming acquainted with events and results, but with the characters and motives of those who were the most active in bringing them about, which is the hidden soul and most instructive part of history. The events of such a government as that of Illinois and the men of its history must necessarily be matters of small interest in themselves. But the author has been encouraged to give some account of them by remembering that history is only philosophy teaching by examples; and may, possibly, teach by small as well as large ones. Observation of the curious habits of small insects has thrown its light upon science, as much as the dissection of the elephant. Therefore, if any one is curious to see what very great things may be illus-

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trated by very small matters this book will give him some aid.

The author has written about small events and little men for two reasons: first, there was nothing else in the history of Illinois to write about; secondly, these small matters seemed best calculated to illustrate what he wanted to promulgate to the people. The historical events and personages herein recorded and described are related and delineated gravely and truthfully; and by no means in a style of exaggeration, caricature, or romance, after the fashion of Knickerbocker's amusing history of New York; but like a tale of romance they are merely made a kind of thread upon which to string the author's speculations; being his real, true, and genuine views, entertained as a man, not as a politician, concerning the practical operation of republican government and the machinery of party in the new States of the West. He has not ventured to call his book a *history*, for the reason that much heavy lumbering matter necessary to constitute it a complete history, but of no interest to the general reader, has been omitted. Indeed, every history is apt to contain much matter not only tiresome to read but mischievous to be remembered; and it is often the unprofitable task of the antiquarian to busy



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himself in raking and carefully saving from oblivion some stupid or mischievous piece of knowledge which the good sense of the contemporary generation of mankind had made them forget.

The account of our very unimportant mobs and wars, and particularly the Mormon wars—in which the author had the misfortune to figure in a small way himself—is here introduced with the single remark that little events are recorded with a minuteness and particularity which, it is hoped, will not tire, but will certainly astonish the reader, until he sees the great principles which they illustrate. The author has earnestly endeavored to be as faithful and impartial as he well could, considering that he was himself an actor in some of the scenes described. For the history of the last four years, embracing the term of his own administration of the State government, the most difficult period of our history, he must bespeak some forbearance. The internal improvement system, the banks, the great plenty of money, had made every one morally drunk. The failure of all these brought about a sobering process, which just began when the author came into office. The different modes of relief for unparalleled calamity, brought about by unparalleled folly,

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which were proposed; the hideous doctrine of repudiation, and its opposite of increasing the taxes to pay our just debts; the everlasting intrigues of politicians with the Mormons; the serious disturbances and mobs which these led to; and the strife between the north and the south about the canal, and their contests for power, were difficult subjects to deal with. The author aimed to act positively, and not negatively, in all these matters, which brought him into fierce collision with many prominent men. He will go down to the grave satisfied in his own mind that he was right, and they wrong; and therefore it may be that he has not spoken so flatteringly of some of them as they may have wished. But he has set nothing down in malice. It is believed that many public men in Illinois aim to succeed only for the present, and have acted their parts with no idea of being responsible to history; and of course they have acted much worse than they would have done had they dreamed that history some time or other would record their selfish projects and hand them down to another age. They were encouraged by their insignificance to hope for oblivion; and it is, perhaps, after all, not very fair to take them by surprise by recording their miserable con-

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duct, giving a small immortality to their littleness.

In all those matters in which the author has figured personally it will be some relief to the reader to find that he has not attempted to blow himself up into a great man. He has no vanity of that sort; and no one thinks more humbly of him than he does of himself. If he has been solicitous about anything concerning himself it has been to be considered "a well-meaning sort of person;" though he knows that this, of all others, is the most uncommon character in public life, and is the most despised by your men of rampant ambition. Insignificant as he may be, yet during his public life many volumes of billingsgate in the newspaper style have been written against him; but he has all the time had the satisfaction of knowing his own errors and imperfections better than did his revilers. And, like an Indian warrior about to be tortured, he could have pointed out vulnerable places and modes of infliction which even the active, keen eye of malice itself failed to discover. He has effectually abandoned all aim to succeed in public life in the future, having learned by long experience that in the pursuit of public honors "the play is not worth the candle." He will therefore but little re-

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gard malicious criticisms which may be the effect of the remains of bad feelings excited by former contests; being assured that no such criticisms can in any wise affect injuriously any of his plans for the future.

THE AUTHOR.

PEORIA, Illinois, April 12, 1847.

# A History of Illinois



# History of Illinois

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## Chapter 1

THE ACHIEVEMENT OF STATEHOOD,  
1818-1821

IN the month of January, 1818 a petition was received from the territorial Legislature of Illinois by Nathaniel Pope, the delegate in Congress (now district judge) praying for the admission of the territory into the Union as an independent State. Judge Pope immediately brought the subject before Congress; and at an early day thereafter was instructed by the proper committee to report a bill in pursuance of the petition. Owing to the great amount of business which had matured, this bill was not acted on until the month of April, when it became a law, with certain amendments proposed by Judge Pope. The amendments were, 1st, to extend the northern boundary of the new State to the parallel of  $42^{\circ} 30'$  north latitude; and, 2d, to apply the three per cent. fund arising from the sales of the public lands to the encouragement of learn-

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ing, instead of the making of roads leading to the State, as had been the case on the admission of Ohio and Indiana. These important changes were proposed and carried through both houses of Congress by Judge Pope upon his own responsibility. The territorial Legislature had not petitioned for them; no one at that time having suggested or requested the making of them; but they met the unqualified approbation of the people of Illinois.<sup>1</sup>

By the Ordinance of 1787 there were to be not less than three nor more than five States in the territory north-west of the Ohio river. The boundaries of these States were defined by that law. The three States of Ohio, Indiana, and Illinois were to include

<sup>1</sup> For a more comprehensive narrative of the admission of Illinois to statehood see S. J. Buck, *Illinois in 1818* (Springfield, 1917), Chaps. VIII-XI. Governor Ford's statement about the 3% fund requires some clarification. The precedent had been established by Congress of voting 5% of the proceeds of sales of the public lands to incoming states to be devoted to the building of highways and canals. Delegate Pope argued that nature had supplied Illinois with "the finest roads in the world" and urged successfully, therefore, that 3% of the anticipated income be devoted to education and the remaining 2% to highways. The need for institutions of learning was obvious; to a modern observer, the need for improved highways would seem to have been no less urgent.



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the whole territory, and were to be bounded by the British possessions in Canada on the north. But Congress reserved the power, if they thereafter should find it expedient, to form one or two States in that part of the territory which lies north of an east and west line drawn through the southerly bend of Lake Michigan. That line, it was generally supposed, was to be the north boundary of Illinois. Judge Pope, seeing that the port of Chicago was north of that line and would be excluded by it from the State; and that the Illinois and Michigan canal (which was then contemplated) would issue from Chicago to connect the great northern lakes with the Mississippi, and thus be partly within and partly without the State of Illinois, was thereby led to a critical examination of the Ordinance, which resulted in a clear and satisfactory conviction that it was competent for Congress to extend the boundaries of the new State as far north as they pleased; and he found no difficulty in convincing others of the correctness of his views.

As it is now understood that the new State of Wisconsin puts in a claim under the Ordinance to the fourteen northern counties in Illinois, embracing the richest and most populous part of the State, it may be worth while to examine a little whether Judge Pope

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and the Congress of 1818 were right in their conclusions.<sup>2</sup>

It appears that Congress retained the power under the Ordinance, if they should thereafter deem it expedient, to establish a State north of Illinois in that part of the north-western territory which lies north of the parallel running through the southern bend of the Lake. Upon this provision is founded the claim of Wisconsin. But there is nothing in the Ordinance requiring such additional State to be formed *of* the terri-

<sup>2</sup> The "new state of Wisconsin" was admitted in 1848, but the agitation to procure admission to statehood had been going on during several years preceding. The author was writing in or shortly prior to 1847. Of all the states of the Old Northwest Illinois had gained most, and Wisconsin lost most by the action of Congress in disregarding the "Ordinance Line" of 1787 when fixing the northern boundaries of Ohio, Indiana, and Illinois. In the early forties Wisconsin spokesmen conducted a vigorous campaign to procure its recognition west of Lake Michigan, with consequent transfer to Wisconsin of 14 northern Illinois counties comprising more than half the population and probably more than half the wealth of present-day Illinois. Governor Ford presents a plausible argument for extending his state some 61 miles north of the Ordinance Line; but few residents of Michigan and Wisconsin could be found either a century ago or today who would be convinced of its validity. Ohio, Indiana, and Illinois took the areas they desired because they had the political power to enforce their respective grabs; Michigan

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tory north of that line. Another State might be formed *in* that district of country, but not *of* it; it need not necessarily include the whole. By extending the limits of Illinois north of the disputed line, Congress still had the power to make a new State *in* that district of country north of it, not including the portion given to Illinois. But the fallacy of the claim for Wisconsin is further apparent from the facts that the Ordinance established the northern limits of Illinois to extend to the British possessions in Canada, in

and Wisconsin territories submitted because they must. Although the question has long since been closed, it is still pertinent to note that the chief excuse advanced by Illinois spokesmen for the spoliation of Wisconsin lost all the significance its proponents had claimed for it within a single generation. The advent of the railroad era tied the states of the Old Northwest to those of the eastern seaboard with bands of steel. The supposition that Illinois would not have adhered to the Union if her northern boundary had remained the Ordinance Line of 1787 is incapable of proof; and in the light of our knowledge of the loyalty of such states as Missouri and Kentucky, it seems highly preposterous.

On the effort of Wisconsin to restore the Ordinance Line west of Lake Michigan see M. M. Quaife, *Wisconsin, Its History and Its People* (Chicago, 1924), Vol. I, Chap. 21. For a modern discussion of the entire issue affecting the establishment of the northern boundaries of Ohio, Indiana, and Illinois see the same author's *Lake Michigan* (Indianapolis, 1944), Chap. 19.

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other words, to the northern boundary of the United States; that the creation of a new State north of it was made to depend upon the subsequent discretion of Congress, and upon their ideas of expediency. Undoubtedly, Illinois could have been limited to the southern bend of Lake Michigan. But Congress has never as yet established that line; but, on the contrary, has established one upwards of fifty miles north of it,<sup>3</sup> which line so established by Congress the people of Wisconsin say is void, as being against the Ordinance. If we take the ground assumed by Wisconsin as the true one, and admit that the line of  $42^{\circ} 30'$  is void, as being against the Ordinance, then it is plain that there is no northern limit to Illinois except the British possessions in Canada; thus making Illinois include all Wisconsin. If the people of Wisconsin can show that the line of  $42^{\circ} 30'$  is void, they do not establish any other; their line was not established by the Ordinance; that law merely authorized Congress to establish it if they saw proper and deemed it expedient. But Congress has never deemed it expedient to establish it. If, therefore, the only line which Congress ever did establish is void, then Illinois cannot be limited by a line which has never been established, but

<sup>3</sup> More accurately, 61 miles north.

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must extend to the northern boundary of the Union, including all Wisconsin. Premises from which such arguments can fairly be drawn must necessarily be suicidal to the claim of the new State of Wisconsin, as they inevitably result in its annihilation, and in extending the jurisdiction of Illinois over the whole of its territory.

But there were other and much more weighty reasons for this change of boundary which were ably and successfully urged by Judge Pope upon the attention of Congress. It was known that in all confederated republics there was danger of dissolution. The great valley of the Mississippi was filling up with a numerous people; the original confederacy had already advanced westward a thousand miles across the chain of mountains skirting the Atlantic; the adjoining States in the western country were watered by rivers running from every point of the compass, converging to a focus at the confluence of the Ohio and Mississippi at Cairo; the waters of the Ohio, Cumberland and Tennessee rivers carried much of the commerce of Alabama and Tennessee, all of Kentucky, considerable portions of that of Virginia, Pennsylvania, and New York, and the greater portion of the commerce of Ohio and Indiana, down by the Point at Cairo

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(situate in the extreme south of Illinois) where it would be met by the commerce to and from the lower Mississippi with all the States and territories to be formed in the immense country on the Missouri, and extending to the head waters of the Mississippi. Illinois had a coast of 150 miles on the Ohio river and nearly as much on the Wabash; the Mississippi was its western boundary for the whole length of the State; the commerce of all the western country was to pass by its shores, and would necessarily come to a focus at the mouth of the Ohio, at a point within this State and within the control of Illinois, if, the Union being dissolved, she should see proper to control it. It was foreseen that none of the great States in the west could venture to aid in dissolving the Union without cultivating a State situate in such a central and commanding position.

What then was the duty of the national government? Illinois was certain to be a great State with any boundaries which that government could give. Its great extent of territory, its unrivalled fertility of soil and capacity for sustaining a dense population, together with its commanding position, would in course of time give the new State a very controlling influence with her

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sister States situate upon the western rivers, either in sustaining the federal union as it is, or in dissolving it and establishing new governments. If left entirely upon the waters of these great rivers, it was plain that in case of threatened disruption the interest of the new State would be to join a southern and western confederacy. But if a large portion of it could be made dependent upon the commerce and navigation of the great northern lakes, connected as they are with the eastern States, a rival interest would be created to check the wish for a western and southern confederacy.

It therefore became the duty of the national government not only to make Illinois strong, but to raise an interest inclining and binding her to the eastern and northern portions of the Union. This could be done only through an interest in the lakes. At that time the commerce on the lakes was small, but its increase was confidently expected, and indeed it has exceeded all anticipations, and is yet only in its infancy. To accomplish this object effectually it was not only necessary to give to Illinois the port of Chicago and a route for the canal, but a considerable coast on Lake Michigan, with a country back of it sufficiently extensive to contain a population capable of exercising

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a decided influence upon the councils of the State.

There would, therefore, be a large commerce of the north, western, and central portions of the State afloat on the lakes, for it was then foreseen that the canal would be made; and this alone would be like turning one of the many mouths of the Mississippi into Lake Michigan at Chicago. A very large commerce of the centre and south would be found both upon the lakes and the rivers. Associations in business, in interest, and of friendship would be formed, both with the north and the south. A State thus situated, having such a decided interest in the commerce and in the preservation of the whole confederacy, can never consent to disunion; for the Union cannot be dissolved without a division and disruption of the State itself. These views, urged by Judge Pope, obtained the unqualified assent of the statesmen of 1818; and this feature of the bill for the admission of Illinois into the Union met the unanimous approbation of both houses of Congress.<sup>4</sup>

<sup>4</sup> Much of the argument in the preceding paragraphs seems to be the product of the Author's hindsight in 1847 rather than the foresight of the politicians of 1818. On the absence of a contemporary (in 1818), display of local interest in the fixing of the northern boundary of the State, see Buck, *Illinois in 1818*, 225-26.



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These facts and views are worthy to be recorded in history as a standing and perpetual call upon Illinoisians of every age to remember the great trust which has been reposed in them as the peculiar champions and guardians of the Union by the great men and patriot sages who adorned and governed this country in the earlier and better days of the republic.<sup>5</sup>

In pursuance of this Act of Congress a Convention was called in Illinois in the summer of 1818 which formed our present Constitution. The principal member of it was Elias K. Kane, late a senator in Congress and now deceased, to whose talents we are mostly indebted for the peculiar features of the Constitution. Mr. Kane was born in the State of New York and was bred to the profession of the law. He removed in early youth to Tennessee, where he rambled about for some time, and finally settled in the ancient village of Kaskaskia in Illinois about the year 1815, when he was about twenty years of age. His talents were both solid and

<sup>5</sup> Here as elsewhere Governor Ford expresses a nostalgic regret over the passing of the imagined virtues of the "good old days." However human this sentiment may be, it finds slight support in Governor Ford's own characterization of men and events in Illinois in the period to which his narrative is devoted.

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brilliant. After being appointed Secretary of State under the new government he was elected to the Legislature, from which he was elected and again re-elected to the United States Senate. He died a member of that body in the autumn of 1835; and in memory of him the County of Kane on Fox river was named, as was also the County of Pope on the Ohio river in honor of Judge Pope, the able and faithful delegate in Congress from the Illinois territory. During the sitting of the Convention of 1818 the Reverend Mr. Wiley and his congregation, of a sect called Covenanters, in Randolph county, sent in their petition asking that body to declare in the Constitution about to be made that "Jesus Christ was the head of the government, and that the Holy Scriptures were the only rule of faith and practice." It does not appear by the journals of the Convention that this petition was treated with any attention; wherefore the Covenanters have never yet fully recognized the State government. They have looked upon it as "an heathen and unbaptized government" which denies Christ; for which reason they have constantly refused to work the roads under the laws, serve on juries, hold any office, or do any other act showing that they recognize the government. For a long time they

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refused to vote at the elections; and never did vote until the election in 1824, when the question was, whether Illinois should be made a slave State, when they voted for the first time and unanimously against slavery. In the election of members to the Convention the only questions made before the people were, the right of the constituent to instruct his representative, and the introduction of slavery, which were debated with great earnestness during the canvass.

The Constitution as formed required the Governor and Lieutenant Governor to have been citizens of the United States for thirty years before their election. It also gave power to the governor to nominate, and the Senate to confirm, all officers whose appointments were not otherwise provided for by the Constitution; the only exceptions to this rule being the judges of the supreme and inferior courts, State treasurer, and public printer. But motives of favor to particular persons who were looked to to hold office under the new government induced the Convention to make exceptions in both these cases, which in the case of appointments to office in the hands of the legislature became the general rule.

Col. Pierre Menard, a Frenchman and an old settler in the country, was generally

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looked to to fill the office of lieutenant governor; but as he had not been naturalized until a year or so before, the Convention declared in a schedule to the Constitution that any citizen of the United States who had resided in the State for two years might be eligible to this office.

It was expected that Shadrach Bond would be the first governor; and the Convention wished to have Elijah C. Berry for the first auditor of public accounts, but as it was believed that Governor Bond would not appoint him to the office, the Convention again declared in the schedule that "an auditor of public accounts, an attorney general, and such other officers of the State as may be necessary, may be appointed by the General Assembly." The Constitution as it stood vested a very large appointing power in the governor; but for the purpose of getting one man into office a total change was made, and the power vested in the legislature. It was for many years a question what was an "officer of the State." Were States' attorneys of the circuits? Were the canal commissioners officers for the State? The legislature afterwards decided that all these were State offices and passed laws from time to time vesting in their own body all the appointing powers they could lay their hands

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on. In this mode they appointed canal commissioners, fund commissioners, commissioners of the board of public works, bank directors for the principal banks and branches, canal agents, States' attorneys, and all sorts of agencies which seemed to be necessary. Sometimes such agents were appointed by election, then again the legislature would pass a law enacting them into office by name and surname. They contrived to strip the governor of all patronage not positively secured to him by the Constitution; such as the appointment of a secretary of State, and the filling of vacancies during the recess of their sessions. At first the legislature contented themselves with the power to elect an auditor and attorney general. The governor appointed all the States' attorneys, the recorders of counties, all State officers and agents occasionally needed, and many minor county officers. But in the administration of Governor Duncan he was finally stripped of all patronage except the appointment of notaries public and public administrators. Sometimes one legislature, feeling pleased with the governor, would give him some appointing power which their successors would take away if they happened to quarrel with him. This constant changing and shifting of powers

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from one co-ordinate branch of the government to another, which rendered it impossible for the people to foresee exactly for what purpose either the governor or legislature were elected, was one of the worst features of the government. It led to innumerable intrigues and corruptions, and for a long time destroyed the harmony between the executive and legislative departments. And all this was caused by the Convention of 1818, in the attempt to get one man into an office of no very considerable importance.

According to general expectation, Shadrach Bond was elected the first governor, and commenced his term of four years in October, 1818. Governor Bond was a native of Maryland, was bred a farmer, and was a very early settler amongst the pioneers of the Illinois territory. He settled on a farm in the American Bottom,<sup>6</sup> in Monroe County, near the Eagle Creek. He was sev-

<sup>6</sup> The American Bottom was the narrow strip of flood plain bordering the Illinois shore of the Mississippi for a distance of about 100 miles southward from the vicinity of Alton. It was the seat of early French settlement in Illinois, the chief centers being Cahokia, Kaskaskia, and Prairie du Roche. Although the soil was fabulously rich the American settlers who gave name to the area were the victims of a good deal of sickness.

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eral times elected to the territorial legislature, and once a delegate to represent the territory in Congress. He was also receiver of public moneys at Kaskaskia, but was never elected or appointed to any other office after his term as governor. Indeed, of the seven first governors of Illinois only one has ever held any office since the expiration of their respective terms of service; though I believe they have all, except myself, tried to obtain some other office. Governor Bond was a substantial, farmer-like man, of strong, plain common sense, with but little pretensions to learning or general information. He was a well-made, well-set, sturdy gentleman, and what is remarkable at this day his first message to the legislature contains a strong recommendation in favor of the Illinois and Michigan canal. At that early day the people north of Kaskaskia, then the seat of government, were northern people, and in favor of northern interests. The inhabited parts of the State then extended north a little above Alton; and at that time the people of Randolph, Monroe, St. Clair and Madison, then northern but now southern counties, were as anxious for the canal as the people of Lasalle have been since. In like manner when the seat of government was removed, first to Vandalia and after-

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wards to Springfield, the people north of those places, respectively, whilst the seat of government remained at them, were in favor of the canal and northern interests; but when removed from Vandalia to Springfield, the northern men between Springfield and Vandalia were immediately converted into Southerners, and most of them ever afterwards opposed the canal. It seems that an imaginary east and west line will, in the imagination of politicians, be drawn through the seat of government, and all north of it will be north, and all south of it will be south, with some trifling exceptions. Governor Bond died about the year 1834; and for him was named the county of Bond, lying on the waters of Shoal Creek.

The legislature was convened at Kaskaskia in October, 1818 and organized the government by the election of Joseph Philips to be chief justice, Thomas C. Brown and John Reynolds and William P. Foster associate justices of the Supreme Court. Judges Brown and Reynolds will be spoken of hereafter. Philips had been a captain in the regular army and was afterwards appointed secretary of State of the territory; and being a lawyer and a man of high order of talent, was therefore elected chief justice. Being afterwards a candidate for governor



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and defeated, he left the State in such disgust as defeat is apt to inspire and went to reside in Tennessee, where he is yet alive. Foster, who was elected one of the judges, was almost a total stranger in the country. He was a great rascal but no one knew it then, he having been a citizen of the State only for about three weeks before he was elected. He was no lawyer, never having either studied or practised law; but he was a man of winning, polished manners, and was withal a very gentlemanly swindler, from some part of Virginia. It might be said of him, as it was of Lambro, "he was the mildest mannered man that ever scuttled ship or cut a throat, with such true breeding of a gentleman that you never could divine his real thought." He was believed to be a clever fellow in the American sense of the phrase, and a good-hearted soul. He was assigned to hold courts in the circuit on the Wabash; but being fearful of exposing his utter incompetency, he never went near any of them. In the course of one year he resigned his high office, but took care first to pocket his salary, and then removed out of the State. He afterwards became a noted swindler, moving from city to city and living by swindling strangers and prostituting his daughters, who were very beautiful.

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Ninian Edwards, now no more,<sup>7</sup> and Jesse B. Thomas, who at this time resides in the State of Ohio,<sup>8</sup> were elected our first senators in Congress. Elias K. Kane was appointed secretary of State, Daniel P. Cook was elected the first attorney general, Elijah C. Berry auditor of public accounts, and John Thomas State treasurer. Under the auspices and guidance of these names was Illinois launched on her career of administration as an independent State of the American Union. Among these gentlemen I will at this time speak of Judge Thomas

<sup>7</sup> Ninian Edwards, territorial and state governor and early U. S. senator from Illinois, died in 1835. He was for many years the leading politician of Illinois. A son, Ninian W. Edwards, is perhaps best remembered as the friend of Abraham Lincoln, and the husband of Mrs. Lincoln's sister. For fuller accounts of the careers of father and son see *Dictionary of American Biography*.

<sup>8</sup> Jesse B. Thomas was a native of West Virginia who migrated successively to Kentucky, Indiana, Illinois, and Ohio. In Illinois he was politically prominent for a decade and a half and as one of the State's first U. S. Senators he won permanent fame as the author of the Missouri Compromise amendment, designed to prohibit slavery (outside Missouri) north of the line 36° 30'. A break with the dominant faction of his party led to his removal to Ohio at the close of his senatorial term. In 1806 he married (second) Rebecca, the widow of Col. John F. Hamtramck of early U. S. Army fame. Her death in 1851 led to his mental derangement and in 1853 he died, a suicide.

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only. He is first distinctly known when he resided in the territory of Indiana, and was a member of the territorial legislature at the time Indiana territory included all the Illinois country. William Biggs and John Messenger of St. Clair county represented the Illinois country in that legislature, and were desirous to obtain a division of that territory and to erect a separate territorial government for Illinois. The Indiana legislature then met at Vincennes, a town on the Wabash, for which reason it was long afterwards, by the vulgar, known by the name of the "*Vinsan legislater*;" and the laws of the territory during that period were called the laws of the "*Vinsan legislater*." The Illinoisians wanted a legislature of their own to meet at Kaskaskia, then vulgarly known by the name of "*Kusky*," a corruption and contraction of the real name. Whether the territory could be divided or not depended upon the election of a delegate to Congress. The Illinoisians were anxious to elect one favorable to a division and they selected Mr. Thomas for this purpose. But being determined not to be cheated, they made him give his bond to be in favor of a division. With the aid of the Illinois vote and his own Mr. Thomas had a bare majority and was elected. True to his pledges and his bond,

Mr. Thomas procured a division of the territory, the erection of a separate territorial government for Illinois, and came home with the appointment of one of the judgeships of the supreme court of the new territory for himself. Judge Thomas then removed to Illinois, where he continued to be one of the judges during the existence of the territory. He was elected from St. Clair county a member of the Convention which formed the Constitution, and had the honor to be chosen president of that body. He was twice elected to the United States Senate, and in the year 1827 left the State to reside in Ohio. During his senatorial career he was a great favorite with William H. Crawford, the secretary of the treasury, and was a warm advocate of Mr. Crawford's election to the presidency; but after Mr. Adams was declared to be elected by the House of Representatives he came over to the support of Mr. Adams' administration. He was a large, affable, good-looking man, with no talents as a public speaker; but he was a man of tact, an adroit and winning manager. It was a maxim with him that no man could be talked down with loud and bold words, "but any one might be whispered to death."

It appears by the journals of this first legislature that a committee was appointed

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to contract for stationery, who reported that they had purchased a sufficient stock at the cost of \$13.50. For every dollar then paid we now pay hundreds for the same articles; but this was in the days of real frugality and economy, and before any of the members had learned the gentlemanly art of laying in from the public stock a year or two's supply at home. The assembly having organized the State government and put it in motion, adjourned to meet again in the winter of 1818-'19. At this adjourned session a code of statute law was passed, mostly borrowed from the statutes of Kentucky and Virginia. Upon examining the laws of that day it will be seen that they are generally better drawn up than those which were passed at a later and more enlightened period. The members were mostly ignorant and unpretending men; there was then some reverence for men of real knowledge and real abilities; the world was not then filled with audacious and ignorant pretenders; and the sensible and unpretending members were content to look to men of real talents and learning to draw their bills. But in these days of empiricism and quackery in all things, when every ignorant pretender who has the luck to "*break*" into the legislature imagines himself to be a Lycurgus or a

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Moses, very few good laws have been made; and those which have, were drawn by men of talents who were not members, for the most part.

But this code as a whole did not stand long. For many sessions afterwards, in fact until the new revision in 1827, all the standard laws were regularly changed and altered every two years to suit the taste and whim of every new legislature. For a long time the rage for amending and altering was so great that it was said to be a good thing that the Holy Scriptures did not have to come before the Legislature; for that body would be certain to alter and amend them so that no one could tell what was or was not the word of God, any more than could be told what was or was not the law of the State. A session of the legislature was like a great fire in the boundless prairies of the State; it consumed everything. And again, it was like the genial breath of spring, making all things new.

One of the most remarkable laws of this first code was the act concerning negroes and mulattoes. It is to be observed that the ordinance of Congress of the year 1787 and the deed of cession of the country from Virginia were interpreted so as to secure the French settlers in a right to their slaves, and

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the legislatures of the Indiana and Illinois territories had passed laws allowing a qualified introduction of slavery. For instance, it had been enacted that emigrants to the country might bring their slaves with them, and if the slaves, being of lawful age to consent, would go before the clerk of a county and voluntarily sign an indenture to serve their master for a term of years they should be held to a specific performance of their contracts. If they refused to give such consent, their masters might remove them out of the territory in sixty days. The children of such slaves, being under the age of consent, might be taken before an officer and registered; and then they were bound by those laws to serve their masters until they were thirty-two years old. Such slaves were then called indentured and registered servants; the French negroes were called slaves. Many servants and slaves were held under these laws, but the number of negroes was very small compared with the number of the white inhabitants. Nevertheless, this first legislature re-enacted in Illinois all the severe and stringent laws to be found in a slave State, where the number of negroes was equal to or greater than the number of white people, and where such severity might be necessary to prevent rebellion and servile

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war. For instance, it was enacted that no negro or mulatto should reside in the State until he had produced a certificate of freedom and given bond, with security, for good behavior and not to become a county charge. No person was to harbor or hire a negro or mulatto who had not complied with the law, under the penalty of five hundred dollars fine. All such free negroes were to cause their families to be registered. Every negro or mulatto not having a certificate of freedom was to be deemed a runaway slave; was liable to be taken up by any inhabitant; committed by a justice of the peace; imprisoned by the sheriff; advertised; sold for one year; and, if not claimed within that time was to be considered a free man unless his master should afterwards reclaim him. Any person bringing a negro into the State to set him free was liable to a fine of two hundred dollars. Riots, routs, unlawful assemblies, and seditious speeches of slaves were to be punished with stripes, not exceeding thirty-nine, at the discretion of any justice of the peace; also, slaves were to be punished with thirty-five lashes for being found ten miles from home without a pass from their master; also, it was made lawful for the owner of any dwelling or plantation to give or order to be given to any slave or servant coming upon



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his plantation ten lashes upon his bare back; and persons who should permit slaves and servants to assemble for dancing or revelling, by night or day, were to be fined twenty dollars. It was made the duty of all sheriffs, coroners, judges, and justices of the peace, on view of such an assemblage, to commit the slaves to jail, and to order each one of them to be whipped, not exceeding thirty-nine stripes, on the bare back, to be inflicted the next day unless the same should be Sunday, and then on the next day after. In all cases where free persons were punishable by fine under the criminal laws of the State servants were to be punished by whipping, at the rate of twenty lashes for every eight dollars fine. No person was to buy of, sell to, or trade with a slave or servant, without the consent of his master; and for so doing, was to forfeit four times the value of the article bought, sold, or traded. Lazy and disorderly servants were to be corrected by stripes, on the order of a justice of the peace.

These provisions have been continued in all the revisions of the law since made, and are now the law of the land. It was partly the object of these laws to prevent free negroes from becoming numerous in the State by discouraging their settlement here, and discouraging runaway slaves from coming to

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Illinois to become free; and when we consider the importance, for the purposes of harmony and good government, of preserving a homogeneous character amongst the people, such an object was a wise one. But for what purpose such severities were denounced against slaves and servants when their numbers were so few that they could not be dangerous can only be conjectured. The most plausible account of the matter may be that as the early legislators were from the slave States; they imported this law, as they did others, without considering its want of application to the condition of the country. In the same manner we find early laws imported from the slave States for the inspection of hemp and tobacco when there was neither hemp nor tobacco raised in the country. And no doubt the feeling and habit of domination over the slave acquired in a slave State and brought by the settlers into a free one had its full share of influence. These laws would have been modified or repealed long ere this if it had not been for the abolition excitement of modern times which has made it dangerous to the popularity of politicians to propose their repeal, since such a proposition might indicate a leaning to that unpopular party. But as it is, the severe points of them are now,

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and for a long time past have been, a dead letter upon the pages of the statute book, there being no instance, within the memory of the present generation of putting them in force.

This legislature also provided for the removal of the seat of government from the town of Kaskaskia, the ancient seat of empire for more than one hundred and fifty years, both for the French and American inhabitants.<sup>9</sup> Commissioners were appointed to select a new site, who made choice of a place then in the midst of the wilderness, on the Kaskaskia river north-east of the settlements, which they called "Vandalia." After the place had been selected it became a matter of great interest to give it a good sounding name, one which would please the ear and at the same time have the classic merit of perpetuating the memory of the ancient race of Indians by whom the country had first been inhabited. Tradition says that a wag who was present suggested to the commissioners that the "Vandals" were a powerful nation of Indians who once inhab-

<sup>9</sup> This statement is somewhat inaccurate. The earliest recorded white visit to Illinois was that of Jolliet and Marquette in 1673. An Indian mission was located at Kaskaskia thirty years later, but until about 1720 it was little more than this. In 1818 it was, and had long been the leading town of the French Illinois.

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ited the banks of the Kaskaskia river, and that "Vandalia," formed from their name, would perpetuate the memory of that extinct but renowned people. The suggestion pleased the commissioners, the name was adopted, and they thus proved that the name of their new city (if they were fit representatives of their constituents) would better illustrate the character of the modern than the ancient inhabitants of the country.<sup>10</sup>

In the year 1818, the whole people numbered about forty-five thousand souls.<sup>11</sup> Some two thousand of these were the descendants of the old French settlers in the villages of Kaskaskia, Prairie Du Rocher, Prairie Du Pont, Cahokia, Peoria, and Chicago.<sup>12</sup> These people had fields in common

<sup>10</sup> According to Theodore C. Pease, *The Frontier State, 1818-48*, Springfield, 1918, p. 51, the name "was probably taken from the name of the proposed colony of Vandalia that was an issue in British politics and later American during the last quarter of the eighteenth century."

<sup>11</sup> "Some thirty-five thousand," according to Pease, *ibid*, p. 2.

<sup>12</sup> The inclusion of Chicago in this list is of more than doubtful propriety. Apart from the garrison (following the establishment of Fort Dearborn in 1803) it was chiefly a minor fur-trade settlement having but little in common with the towns of the French Illinois. Almost nothing of the characterization which follows applies to early Chicago.

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for farming, and farmed, built houses, and lived in the style of the peasantry in old France one hundred and fifty years ago. They had made no improvements in anything, nor had they adopted any of the improvements made by others. They were the descendants of those French people who had first settled the country more than one hundred and fifty years before under LaSalle, Ibberville, and the priests Alvarez, Rasles, Gravier, Pinet, Marest, and others, and such as subsequently joined them from New Orleans and Canada; and they now formed all that remained of the once proud empire which Louis XIV., king of France, and the regent Duke of Orleans, had intended to plant in the Illinois country. The original settlers had many of them intermarried with the native Indians, and some of the descendants of these partook of the wild, roving disposition of the savage, united to the politeness and courtesy of the Frenchman. In the year 1818, and for many years before, the crews of keel boats on the Ohio and Mississippi rivers were furnished from the Frenchmen of this stock. Many of them spent a great part of their time in the spring and fall seasons in paddling their canoes up and down the rivers and lakes in the river bottoms on hunting excursions, in pursuit of

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deer, fur, and wild fowl, and generally returned home well loaded with skins, fur, and feathers, which were with them the great staples of trade.<sup>13</sup> Those who stayed at home contented themselves with cultivating a few acres of Indian corn in their common fields for bread, and providing a supply of prairie hay for their cattle and horses. No genuine Frenchman in those days ever wore a hat, cap, or coat. The heads of both men and women were covered with Madras cotton handkerchiefs which were tied around in the fashion of night-caps. For an upper covering of the body the men wore a blanket garment called a "capot," (pronounced cappo) with a cap to it at the back of the neck, to be drawn over the head for a protection in cold weather, or in warm weather to be thrown back upon the shoulders in the fashion of a cape. Notwithstanding this people had been so long separated by an immense wilderness from civilized society they still retained all the suavity and politeness of their race. And it is a remarkable

<sup>13</sup> This was true also of the early American settlers of southern Illinois. For an account of the bartering of skins and other forest products with the local storekeepers about the year 1830 see Daniel H. Brush *Growing Up With Southern Illinois*, the Lakeside Classics volume for 1944, pp. 55-57.

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fact, that the roughest hunter and boatman amongst them could at any time appear in a ballroom or other polite and gay assembly with the carriage and behavior of a well-bred gentleman. The French women were remarkable for the sprightliness of their conversation and the grace and elegance of their manners. And the whole population lived lives of alternate toil, pleasure, innocent amusement, and gaiety.

Their horses and cattle, for want of proper care and food for many generations, had degenerated in size, but had acquired additional vigor and toughness; so that a French pony was a proverb for strength and endurance. These ponies were made to draw, sometimes one alone sometimes two together, one hitched before the other to the plough, or to carts made entirely of wood, the bodies of which held about double the contents of the body of a common large wheel-barrow. The oxen were yoked by the horns instead of the neck, and in this mode were made to draw the plough and cart. Nothing like reins were ever used in driving; the whip of the driver, with a handle about two feet, and a lash two yards long, stopped or guided the horse as effectually as the strongest reins.

The French houses were mostly built of hewn timber set upright in the ground or

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upon plates laid upon a wall, the intervals between the upright pieces being filled with stone and mortar. Scarcely any of them were more than one story high, with a porch on one or two sides and sometimes all around, with low roofs extending with slopes of different steepness from the comb in the centre to the lowest part of the porch. These houses were generally placed in gardens, surrounded by fruit-trees of apples, pears, cherries, and peaches; and in the villages each enclosure for a house and garden occupied a whole block or square, or the greater part of one. Each village had its Catholic church and priest. The church was the great place of gay resort on Sundays and holidays, and the priest was the adviser and director and companion of all his flock. The people looked up to him with affection and reverence, and he upon them with compassion and tenderness. He was ever ready to sympathize with them in all their sorrows, enter into all their joys, and counsel them in all their perplexities. Many good Protestant ministers who stoutly believed these Catholic priests to be the emissaries of Satan would have done well to imitate their simple-hearted goodness to the members of their flocks.

The American inhabitants were chiefly from Kentucky, Virginia, and Pennsylvania.



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Some of them had been the officers and soldiers under General George Rogers Clark, who conquered the country from the British in 1778, and they, with others who afterwards followed them, maintained their position in the country during the Indian wars in Ohio and Indiana in the times of Harmar, St. Clair, and Wayne. This handful of people, being increased in the whole to about twelve thousand souls by subsequent emigration, with the aid of one company of regular soldiers defended themselves and their settlements during the war of 1812 against the then numerous and powerful nations of the Kickapoos, Sacs and Foxes, Pottawatomies, and Shawnees, and even made hostile expeditions into the heart of their territories, burning their villages and defeating and driving them from the country. In the year 1818 the settled part of the State extended a little north of Edwardsville and Alton; south, along the Mississippi to the mouth of the Ohio; east, in the direction of Carlyle to the Wabash; and down the Wabash and the Ohio, to the mouth of the last-named river. But there was yet a very large unsettled wilderness tract of country within these boundaries, lying between the Kaskaskia river and the Wabash; and between the Kaskaskia and the Ohio, of three

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days' journey across it. There were no schools in the country except for reading, writing, and arithmetic, and one school for surveying and book-keeping. The lawyers and professional men came from abroad. Preachers of the gospel frequently sprung up from the body of the people at home, without previous training except in religious exercises and in the study of the Holy Scriptures. In those primitive times it was not thought to be necessary that a teacher of religion should be a scholar. It was thought to be his business to preach from a knowledge of the Scriptures alone, to make appeals warm from the heart, to paint heaven and hell to the imagination of the sinner, to terrify him with the one and to promise the other as a reward for a life of righteousness. However ignorant these first preachers may have been, they could be at no loss to find congregations still more ignorant, so that they were still capable of instructing some one. Many of them added to their knowledge of the Bible a diligent perusal of Young's Night Thoughts, Watts' hymns, Milton's Paradise Lost, and Hervey's Meditations, a knowledge of which gave more compass to their thoughts, to be expressed in a profuse, flowery language, and raised their feelings to the utmost height of poetical enthusiasm.

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Sometimes their sermons turned upon matters of controversy; unlearned arguments on the subject of free grace, baptism, free will, election, faith, good works, justification, sanctification, and the final perseverance of the saints. But that in which they excelled was the earnestness of their words and manner, leaving no doubt of the strongest conviction in their own minds, and in the vividness of the pictures which they drew of the ineffable blessedness of heaven and the awful torments of the wicked in the fire and brimstone appointed for eternal punishment. These, with the love of God to sinful men, the sufferings of the Saviour, the dangerous apathy of sinners, and exhortations to repentance, furnished themes for the most vehement and passionate declamations. But above all they continually inculcated the great principles of justice and sound morality.

As many of these preachers were nearly destitute of learning and knowledge they made up in loud hallooing and violent action what they lacked in information. And it was a matter of astonishment to what length they could spin out a sermon embracing only a few ideas. The merit of a sermon was measured somewhat by the length of it, by the flowery language of the speaker, and

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by his vociferation and violent gestures. Nevertheless, these first preachers were of incalculable benefit to the country. They inculcated justice and morality, and to the sanction of the highest human motives to regard them, added those which arise from a belief of the greatest conceivable amount of future rewards and punishments. They were truly patriotic also; for at a time when the country was so poor that no other kind of ministry could have been maintained in it they preached without charge to the people, working week days to aid the scanty charities of their flocks in furnishing themselves with a scantier living. They believed with a positive certainty that they saw the souls of men rushing to perdition; and they stepped forward to warn and to save, with all the enthusiasm and self-devotion of a generous man who risks his own life to save his neighbor from drowning. And to them are we indebted for the first Christian character of the Protestant portion of this people.

The long, loud, and violent declamations of these early preachers seemed to be well adapted to the taste of the inhabitants. In course of time their style became the standard of popular eloquence. It was adopted by lawyers at the bar and by politicians in their public harangues; and to this day in

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some of the old settled parts of the State no one is accounted an orator unless he can somewhat imitate thunder in his style of public speaking. From hence, also, comes the vulgar notion that any bellowing fellow with a profusion of flowery bombast is a "smart man," a man of talents, fit to make laws, govern the country, and originate its policy. The public exercises in religion were greatly aided by the loud and wild music made by the singing of untutored voices. He was considered the best singer who could wake up the echoes to his voice from the greatest distance in the deep woods around; so that in process of time, when the New England singing masters began to establish singing schools, many people looked upon their scientific and chastened performances with perfect scorn. One of these itinerant teachers of music called his scholars together, they being large, loud-voiced young men and women, trained to sing at camp meetings. As he stood out in their midst and began a tune in a low, melodious voice, sawing the air with his hand to beat the time, sliding gracefully about the room, after the fashion of a singing master, his scholars lifted up their loud voices and struck into the tune before him, overwhelming him with a horrible din of sound such as he had never heard

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before, drowning his feeble voice and his fine music both together. The scholars were vastly pleased with their own performance and held that of their teacher in utter contempt. Whereupon they all concluded with one accord that each one of them was already far superior to his teacher, and the school broke up.

The pursuits of the people were agricultural. A very few merchants supplied them with the few necessities which could not be produced or manufactured at home. The farmer raised his own provisions; tea and coffee were scarcely used, except on some grand occasions. The farmer's sheep furnished wool for his winter clothing; he raised cotton and flax for his summer clothing. His wife and daughters spun, wove, and made it into garments. A little copperas and indigo, with the bark of trees, furnished dye stuffs for coloring. The fur of the raccoon made him a hat or a cap. The skins of deer or of his cattle, tanned at a neighboring tan-yard or dressed by himself, made him shoes or moccasins. Boots were rarely seen even in the towns. And a log cabin made entirely of wood, without glass, nails, hinges, or locks, furnished the residence of many a contented and happy family. The people were quick and ingenious to supply by in-

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vention, and with their own hands, the lack of mechanics and artificers. Each farmer as a general thing built his own house, made his own ploughs and harness, bedsteads, chairs, stools, cupboards, and tables. The carts and wagons for hauling were generally made without iron, without tires or boxes, and were run without tar, and might be heard creaking as they lumbered along the roads for the distance of a mile or more.

As an example of the talents of this people to supply all deficiencies and provide against accidents by a ready invention the following anecdote is related of James Lemon, one of the old sort of baptist preachers, formerly of Monroe county but now deceased. Mr. Lemon was a farmer, and made all his own harness. The collars for his horses were made of straw or corn husks, plaited and sewed together by himself. Being engaged in breaking a piece of stubble ground and having turned out for dinner, he left his harness on the beam of his plough. His son, a wild youth, who was employed with a pitchfork to clear the plough of the accumulating stubble, staid behind and hid one of the horse collars. This he did that he might rest whilst his father made a new collar. But the old man, returning in the afternoon and missing his collar, mused for a few minutes

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and then, very much to the disappointment of his truant son, he deliberately pulled off his leather breeches, stuffed the legs of them with stubble, straddled them across the neck of his horse for a collar, and ploughed the remainder of the day as bare-legged as he came into the world.<sup>14</sup> In a more civilized country, where the people are better acquainted with the great laws which control the division of labor, a half day would have been lost in providing for such a mishap.

Such a thing as regular commerce was nearly unknown. Until 1817 everything of foreign growth or manufacture had been brought from New Orleans in keel boats towed with ropes or pushed with poles by the hardy race of boatmen of that day up the current of the Mississippi; or else wagoned across the mountains from Philadelphia to Pittsburgh, and from thence floated down the Ohio to its mouth in keel boats; and from

<sup>14</sup> Considerable discussion has centered about the assertion (apparently incapable of proof) that James Lemon (or Lemen) migrated from Virginia to Illinois in 1786 in pursuance of a secret compact entered into with Thomas Jefferson to work for the exclusion of slavery there. For a convenient summary of the subject see S. J. Buck, *Illinois in 1818*, 319-20. Perhaps no better illustration of the rude character of life in pioneer Illinois can be found than the picture Governor Ford presents of this particular preacher and statesman.



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there shoved, pushed, and towed up the Mississippi, as from New Orleans. Upon the conclusion of the war of 1812 the people from the old States began to come in and settle in the country. They brought some money and property with them and introduced some changes in the customs and modes of living. Before the war such a thing as money was scarcely ever seen in the country, the skins of the deer and raccoon supplying the place of a circulating medium. The money which was now brought in, and which had before been paid by the United States to the militia during the war, turned the heads of all the people and gave them new ideas and aspirations; so that by 1819 the whole country was in a rage for speculating in lands and town lots. The States of Ohio and Kentucky, a little before, had each incorporated a batch of about forty independent banks. The Illinois territory had incorporated two at home, one at Edwardsville and the other at Shawneetown; and the territory of Missouri added two more at St. Louis. These banks made money very plenty; emigrants brought it to the State in great abundance. The owners of it had to use it in some way; and as it could not be used in legitimate commerce in a State where the material for commerce did not exist, the

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most of it was used to build houses in towns which the limited business of the country did not require, and to purchase land which the labor of the country was not sufficient to cultivate. This was called "developing the infant resources of a new country."

The United States government was then selling land at two dollars per acre; eighty dollars on the quarter section to be paid down on the purchase, with a credit of five years for the residue. For nearly every sum of eighty dollars there was in the country, a quarter section of land was purchased; for in those days there were no specie circulars to restrain unwarrantable speculations;<sup>15</sup> but, on the contrary, the notes of most of the numerous banks in existence were good in the public land offices. The amount of land thus purchased was increased by the general expectation that the rapid settlement of the country would enable the speculator to sell it for a high price before the expiration of the credit. This great abundance of money also, about this time, made a vast increase in the

<sup>15</sup> The allusion is to the several Specie Circulars issued during President Jackson's Administration, more especially the one of July 11, 1836 requiring payments for public lands to be made in gold or silver coin, which probably precipitated the panic of the following year. This order was, of course, still a lively memory to the American public in 1847.

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amount of merchandise brought into the State. When money is plenty every man's credit is good. The people dealt largely with the stores on credit, and drew upon a certain fortune in prospect for payment. Every one was to get rich out of the future emigrant. The speculator was to sell him houses and lands; and the farmer was to sell him everything he wanted to begin with and to live upon until he could supply himself. Towns were laid out all over the country and lots were purchased by every one on a credit; the town maker received no money for his lots, but he received notes of hand which he considered to be as good as cash; and he lived and embarked in other ventures, as if they had been cash in truth. In this mode, by the year 1820 nearly the whole people were irrecoverably involved in debt. The banks in Ohio and Kentucky broke, one after another, leaving the people of those States covered with indebtedness and without the means of extrication. The banks at home and in St. Louis ceased business. The great tide of immigrants from abroad, which had been looked for by every one, failed to come. Real estate was unsaleable; the lands purchased of the United States were unpaid for, and likely to be forfeited. Bank notes had driven out specie, and when these notes be-

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came worthless there was no money of any description left in the country. And there was absolutely no commerce by means of which a currency could be restored. For in those days we exported nothing; and if there had been any property fit for exportation there was no market for it abroad, and if there had been a market there was no capital with which to purchase it and take it to market. The people began to sue one another for their debts; and as there was absolutely no money in the country it was evident that scarcely any amount of property would pay the indebtedness.

To remedy these evils the legislature of 1821 created a State Bank. It was founded without money, and wholly on the credit of the State. It was authorized to issue one, two, three, five, ten and twenty dollar notes in the likeness of bank bills, bearing two per cent. annual interest and payable by the State in ten years. A principal bank was established at Vandalia and four or five branches in other places; the legislature elected all the directors and officers; a large number of whom were members of the legislature, and all of them professional politicians. The bank was directed by law to lend its bills to the people to the amount of one hundred dollars on personal security; and

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upon the security of mortgages upon land for a greater sum. These bills were to be receivable in payment of all State and county taxes, and for all costs and fees and salaries of public officers; and if a creditor refused to endorse on his execution his willingness to receive them in payment of debt, the debtor could replevy or stay its collection for three years by giving personal security. So infatuated were this legislature with this absurd bank project that the members firmly believed that the notes of this bank would remain at par with gold and silver; and they could readily prove their belief to be well-founded; for the most difficult argument to answer is one founded partly upon fact, but mostly upon guess work and conjecture. As an evidence of the belief of the legislature to this effect the journals show that a resolution was passed requesting the secretary of the treasury of the United States to receive these notes into the land offices in payment for the public lands. When this resolution was put to the vote in the Senate, the old French lieutenant-governor, Col. Menard, presiding over that body, did up the business as follows: "Gentlemen of *de* Senate, it is moved and seconded *dat de* notes of *dis* bank be made land office money. All in favor of *dat* motion, say aye; all against it,

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say no. It is decided in *de affirmative*. And now, gentlemen, *I bet you one hundred dollar he never be made land office money.*" The county of Menard on the Sangamon river was named in honor of him; and the name could not have been more worthily bestowed.

John McLean of Shawneetown was then the speaker of the House of Representatives. He was opposed to this bank, and was possessed of a fertility of genius and an overpowering eloquence of which the bank party were justly afraid. For this reason that party being in the majority in the House refused to go into committee of the whole so as to allow Mr. McLean to participate in the debate. Mr. McLean, indignant at such treatment, resigned his office of speaker and in a speech remarkable for its ability and eloquence predicted all the evil consequences which resulted from the bank, and put in motion an opposition to the prevailing policy of crippling creditors in the collection of their debts which thereafter prevented the repetition of such measures during that generation. But the majority were for the bill. The governor and judges, acting as a council of revision, objected to it as being unconstitutional and inexpedient, but it was afterwards repassed through both houses by the

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constitutional majorities. It was passed in the spirit of brute force triumphing over the power of intellect. The Supreme Court of the United States afterwards decided in the case of Craig against the State of Missouri that the bills payable at a future day of all such banks representing a State only were bills of credit, and prohibited by the constitution.

The most distinguished advocate for the creation of this bank amongst the members of the House of Representatives was Judge Richard M. Young, who has since been so prominent in Illinois; and who is one of the very many examples in our history of the forgiving disposition of the people to such of their public servants as have been so unfortunate as to be in favor of bad measures, or opposed to good ones. Mr. McLean was also afterwards, as long as he lived, very prominent in the politics of Illinois. He was several times elected to the legislature, once elected to the lower house of Congress, and twice to the United States Senate, and died a member of the Senate in 1830. He was naturally a great, magnanimous man, and a leader of men. The county of McLean was named in honor of him.

In the summer of 1821, the new bank went into operation. Every man who could get an

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endorser borrowed his hundred dollars. The directors, it is believed, were all politicians; and either were then, or expected to be, candidates for office. Lending to everybody, and refusing none, was the surest road to popularity. Accordingly, three hundred thousand dollars of the new money was soon lent without much attention to security or care for eventual payment. It first fell twenty-five cents, then fifty, and then seventy cents below par. And as the bills of the Ohio and Kentucky banks had driven all other money out of the State, so this new issue effectually kept it out. Such a total absence was there of the silver coins that it became utterly impossible, in the course of trade, to make small change. The people, from necessity, were compelled to cut the new bills into two pieces, so as to make two halves of a dollar. This again further aided to keep out even the smallest silver coins, for the people must know that good money is a very proud thing and will not circulate, stay, or go where bad money is treated with as much respect as the good. For about four years there was no other kind of money but this uncurrent State bank paper. In the meantime very few persons pretended to pay their debts to the bank. More than half of those who had borrowed considered what



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they had gotten from it as so much clear gain, and never intended to pay it from the first.

By the year 1824 it became impossible to carry on the State government with such money as the bills of this bank. The State revenue varied from twenty-five to thirty thousand dollars per annum, which was raised almost exclusively by a tax on lands then owned by non-residents in the military tract lying north-west of the Illinois river. The resident land tax in other parts of the State was paid into the county treasuries. The annual expenditures of the State government were about equal to the annual revenues; and as the taxes were collected in the bills of the State bank, the legislature, to carry on the government, were compelled to provide for their own pay and that of all the public officers and the expenses of the government by taking and giving enough of the depreciated bills to equal in value the sums required to be paid. So that each member instead of receiving three dollars per day received nine dollars per day. The salaries of the governor and judges, and all other expenses, were paid in the same way. So that if \$30,000 were required to pay the expenses of government for a year, under this system it took \$90,000 to do it. And thus, by the

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financial aid of an insolvent bank, the legislature managed to treble the public expenses without increasing the revenues or amount of service to the State. In fact, this State lost two-thirds of its revenue and expended three times the amount necessary to carry on the government. In the course of ten years it must have lost more than \$150,000 by receiving a depreciated currency, \$150,000 more by paying it out, and \$100,000 of the loans, which were never repaid by the borrowers and which the State had to make good by receiving the bills of the bank for taxes, by funding some at six per cent. interest, and paying a part in cash in the year 1831.

The year 1820 was signalized by the first and last duel which was ever fought in Illinois. This took place in Belleville, St. Clair county, between Alphonso Stewart and William Bennett, two obscure men. The seconds had made it up to be a sham duel to throw ridicule upon Bennett, the challenging party. Stewart was in the secret; but Bennett, his adversary, was left to believe it a reality. They were to fight with rifles; the guns were loaded with blank cartridges; and Bennett, somewhat suspecting a trick, rolled a ball into his gun without the knowledge of the seconds, or of the other party.

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The word to fire was given and Stewart fell mortally wounded. Bennett made his escape, but two years afterwards he was captured in Arkansas, brought back to the State, indicted, tried and convicted of murder. A great effort was made to procure him a pardon; but Governor Bond would yield to no entreaties in his favor; and Bennett suffered the extreme penalty of the law by hanging, in the presence of a great multitude of people. This was the first and last duel ever fought in the State by any of its citizens. The hanging of Bennett made duelling discreditable and unpopular, and laid the foundation for that abhorrence of the practice which has ever since been felt and expressed by the people of Illinois. The present Judge Lockwood was then the Attorney General of the State, and prosecuted in this case. To his talents and success as a prosecutor the people are indebted for this early precedent and example, which did more than is generally known to prevent the barbarous practice of duelling from being introduced into this State.

## Chapter 2

THE PIONEER STATE, 1821-1829

IN the year 1822 another Governor was elected and this resulted in again agitating the question of the introduction of slavery. There were four candidates for the office, Joseph Philips, the chief Justice; Thomas C. Brown, one of the judges of the Supreme Court; Major-General James B. Moore, and Edward Coles, who was at that time Register of the Land office at Edwardsville. Mr. Coles was a Virginian, had been private secretary to Mr. Madison, had travelled in Europe, was well informed, well bred, and voluble in conversation; had emancipated his slaves in Virginia, was appointed to a land office in Illinois through the influence of Mr. Crawford, the Secretary of the Treasury, had brought his slaves with him to Illinois and settled them on farms, and was a thorough opponent of slavery. At that early day Mr. Crawford and John C. Calhoun of South Carolina and others were looking forward as candidates for the Presidency. Ninian Edwards, one of our Senators, favored Mr. Calhoun; and

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Jesse B. Thomas, our other Senator, was in favor of Mr. Crawford. To counteract the influence of Edwards Mr. Coles was sent out to Illinois. Philips and Brown were from the slave States and were in favor of slavery. General Moore run also as an opponent to slavery. Mr. Coles was elected by a mere plurality vote over Philips, his highest competitor; and, of course, was so unfortunate as to have a majority of the legislature against him during his whole term of service.

This election took place not long after the settlement of the great Missouri question; a question which convulsed the whole nation and came near dissolving the Union. The Illinois Senators in Congress had voted for the admission of Missouri into the Union as a slave State, without restriction, whilst Mr. Cook, then our only representative in the lower House, voted against it. This all helped to keep alive some questions for or against the introduction of slavery. About this time, also, a tide of immigrants was pouring into Missouri through Illinois, from Virginia and Kentucky. In the fall of the year every great road was crowded and full of them, all bound to Missouri with their money and long trains of teams and negroes. These were the most wealthy and best-educated immigrants from the slave States.

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Many of our people who had land and farms to sell looked upon the good fortune of Missouri with envy; whilst the lordly immigrant, as he passed along with his money and droves of negroes, took a malicious pleasure in increasing it by pretending to regret the short-sighted policy of Illinois which excluded him from settlement amongst us; and from purchasing the lands of our people. In this mode a desire to make Illinois a slave State became quite prevalent. Many persons had voted for Brown or Philips with this view; whilst the friends of a free State had rallied almost in a body for Coles.

Notwithstanding the defeat of the party at this election they were not annihilated. They had only been beaten for Governor by a division in their own ranks; whilst they had elected a large majority in each house of the Assembly and were now determined to make a vigorous effort to carry their measure at the session of the legislature to be held in 1822-3. Governor Coles, in his first message, recommended the emancipation of the French slaves. This served as the spark to kindle into activity all the elements in favor of slavery.

Slavery could not be introduced, nor was it believed that the French slaves could be emancipated, without an amendment of the

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constitution; the constitution could not be amended without a new convention; to obtain which, two-thirds of each branch of the legislature had to concur in recommending it to the people; and the voters at the next election had to sanction it by a majority of all the votes given for members of the legislature. When the legislature assembled it was found that the Senate contained the requisite two-thirds majority; but in the House of Representatives, by deciding a contested election in favor of one of the candidates, the slave party would have one more than two-thirds; but by deciding in favor of the other they would lack one vote of having that majority. These two candidates were John Shaw and Nicholas Hanson, who claimed to represent the county of Pike, which then included all the military tracts, and all the country north of the Illinois river to the northern limits of the State.

The leaders of the slave party were anxious to re-elect Jesse B. Thomas to the United States Senate. Hanson would vote for him, but Shaw would not; Shaw would vote for the Convention, but Hanson would not. The party had use for both of them and they determined to use them both, one after the other. For this purpose they first decided in favor of Hanson, admitted him to a

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seat, and with his vote elected their United States Senator; and then, towards the close of the session, with mere brute force and in the most barefaced manner they reconsidered their former vote, turned Hanson out of his seat and decided in favor of Shaw, and with his vote carried their resolution for a convention.<sup>16</sup>

The night after this resolution passed the convention party assembled to triumph in a great carousal. They formed themselves into a noisy, disorderly, and tumultuous procession headed by Judge Philips, Judge Smith, Judge Thomas Reynolds, late governor of Missouri, and Lieutenant Governor Kinney, followed by the majority of the legislature and the hangers-on and rabble about the seat of government; and they marched, with the blowing of tin horns and the beating of drums and tin pans, to the residence of

<sup>16</sup> For an account of this struggle see Frank E. Stevens, "Alexander Pope Field" in Ill. State Hist. Soc. *Journal*, Vol. IV, 9-11. Field was the leader of the pro-slavery party in the Legislature and Stevens, his biographer, characterizes his tactics as those of the blackguard; and the Assembly which he dominated as having "disgraced itself more than any dozen assemblies which have followed it, with the possible exception of the one which revolutionized the Supreme Court and turned this same Field out of office thereby." For Governor Ford's account of this latter struggle see *post*, Chapter VII.



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Governor Coles and to the boarding houses of their principal opponents, towards whom they manifested their contempt and displeasure by a confused medley of groans, wailings, and lamentations. Their object was to intimidate and crush all opposition at once.

But they were mistaken: the anti-convention party took new courage and rallied to a man. They established newspapers to oppose the convention; one at Shawneetown edited by Henry Eddy; one at Edwardsville edited by Hooper Warren with Gov. Coles, Thomas Lippincott, George Churchill, and Judge Lockwood for its principal contributors; and finally, one at Vandalia edited by David Blackwell, the secretary of State. The slave party had established a newspaper at Kaskaskia under the direction of Mr. Kane and Chief Justice Reynolds; and one at Edwardsville edited by Judge Smith; and both parties prepared to appeal to the interests, the passions, and the intelligence of the people. The contest was mixed up with much personal abuse; and now was poured forth a perfect lava of detraction, which, if it were not for the knowledge of the people that such matters are generally false or greatly exaggerated, would have overwhelmed and consumed all men's reputa-

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tions. Morris Birkbeck, an Englishman who settled an English colony in Edwards' county,<sup>17</sup> Gov. Coles, David Blackwell, George Churchill, and Thomas Lippincott wrote fiery hand-bills and pamphlets, and the old preachers preached against a convention and slavery. Elias K. Kane, Judge Thomas Reynolds, Judge Samuel McRoberts, Judge Smith, and others wrote hand-bills and pamphlets in its favor. These missive weapons of a fiery contest were eagerly read by the people. The State was almost covered with them; they flew everywhere, and everywhere they scorched and scathed as they flew. This was a long, ex-

<sup>17</sup> Morris Birkbeck was a prosperous English publicist and reformer, the author of numerous books which were widely popular. In 1817, irritated by the exactions of the government of England, he migrated to Edwards County, Illinois, where he purchased some 26,000 acres of land and with his associate, George Flower, undertook to found a colony. He introduced Merino sheep into England, became president of the first agricultural society in Illinois, and advocated scientific methods of tillage and husbandry. He was an able and ardent anti-slavery leader. He died untimely, being drowned while attempting to swim his horse across Fox River in 1825. "He was one of the ablest, and most public-spirited men on the frontier. His services to his adopted country were ill requited and soon forgotten." See sketch in *Dictionary of American Biography*.

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cited, angry, bitter, and indignant contest. It was to last from the spring of 1823 until the August election of 1824; the rank and file of the people were no less excited than their political leaders. Almost every stump in every county had its bellowing, indignant orator on one side or the other; and the whole people for the space of eighteen months did scarcely anything but read newspapers, hand-bills, and pamphlets, quarrel, argue, and wrangle with each other whenever they met together to hear the violent harangues of their orators.

The principal partisans in favor of a convention were Judges Philips, Brown, and John Reynolds, Jesse B. Thomas and Gov. Edwards, our senators in Congress, Lieut. Gov. Kinney, Judge Smith, Chief Justice Thomas Reynolds, John McLean, Elias K. Kane, Judge M'Roberts, and Gov. Bond. And the principal men opposed to a convention and slavery were Morris Birkbeck, Gov. Coles, Daniel P. Cook, our member of Congress, David Blackwell, George Churchill, Samuel D. Lockwood, Thomas Lippincott, Hooper Warren, George Forquer, Thomas Mather, and Henry Eddy. The odds in the array of great names seemed to be in favor of the convention party. The question of slavery was thoroughly discussed.

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The people took an undivided and absorbing interest in it; they were made to understand it completely; and as this was long before the abolition excitement of modern times the introduction of slavery was resisted not so much upon the ground of opposition to it in general as simply upon the grounds of policy and expediency. The people decided by about two thousand majority in favor of a free State. Thus, after one of the most bitter, prolonged, and memorable contests which ever convulsed the politics of this State the question of making Illinois a slave State was put to rest, as it is hoped, forever.

Nothing of any interest occurred after this struggle until the session of the legislature in 1824-'5. The people had been so long under the influence of an intense excitement that they required rest. And as a general thing they had not then become inured to a political warfare which has latterly become interminable. The contests in those days were of short duration and were scarcely ever repeated on the same grounds or questions. There were no parties of Whig and Democrat, Federalist and Republican. The contests were mostly personal, and for men. As for principles and measures, with the exception of the convention question

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there were none to contend for. Every election turned upon the fitness and unfitness, the good and bad qualities of the candidates. The only mode of electioneering for a friend then known was to praise one set of men and blacken the characters of the other. The candidates were not announced until within a few weeks of the election; the contest was soon over, and then peace and quiet reigned until the next election, two years afterwards.

There are those who are apt to believe that this mode of conducting elections is likely to result in the choice of the best materials for administering government. But experience did not prove the fact to be so. The idea of electing men for their merit has an attractive charm in it to generous minds; but in our history it has been as full of delusion as it has been attractive. Nor has the organization of regular parties and the introduction of the new principle in elections of "measures not men," fully answered the expectation of its friends. But if the introduction of such parties, supposed to be founded on a difference in principles, has done no other good, it has greatly softened and abated the personal rancor and asperity of political contests, though it has made such contests increasing and eternal. It is to be regretted, however, if there be evils attend-

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ing the contests of party, that society cannot receive the full benefit from them by the total extinction of all mere personal considerations, personal quarrels, and personal crimination not necessary to exhibit the genius and tendency of a party as to measures, and which are merely incidental to contests for office. The present doctrine of parties is measures, not men, which if truly carried out would lead to a discussion of measures only. But parties are not yet sufficiently organized for this; and, accordingly we find at every election much personal bitterness and invective mingled with the supposed contests for principle. The political world is still full of those men who believe, and perhaps believe correctly, that the attachment to principle is not yet so general and perfect as to destroy all chance of overthrowing the principles of a candidate by overwhelming his reputation with falsehood. Perhaps the time may come when all these personal contests will be confined to the bosom of one party, in selecting the best candidates to carry out its principles.

At the session of 1824-'5 the legislature, under the provisions of the Constitution, reorganized the judiciary by creating five circuit court judges who were to hold all the circuit courts in the State; and the supreme

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court, composed of four judges, was to be held twice a year at the seat of government. William Wilson was elected chief justice; Thomas C. Brown, Samuel D. Lockwood, and Theophilus W. Smith were elected associate judges of the supreme court; John York Sawyer, Samuel McRoberts, Richard M. Young, James Hall, and James O. Wattles were elected judges of the circuits; and James Turney to be attorney general. Of these ten great officers it is believed that Wilson, Brown, Smith, Sawyer, M'Roberts, Young, Hall, and Turney had belonged to the convention party; but such was the nature of party at that day that they had not lost their popularity even with the party opposed to them. The anti-convention party had a large majority in this legislature; but upon the principle of men, not measures, they put their opponents into office.

Proscription for opinion's sake was then but little known. The first instance of it was shortly afterwards put in practice by one of the circuit judges. Judge McRoberts removed Joseph Conway, an opponent, and appointed Emanuel J. West, a friend of his own, to be clerk of the circuit court of Madison county. Mr. Conway was well known and popular in several of the adjacent counties. The people of his own county elected

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him to the Senate without opposition, and kept him there, by re-election, for eight years. A great outcry was raised against the extravagance of the judiciary system, the prodigal waste of the public money to pension unnecessary life officers upon the people; and a talented young lawyer of stirring eloquence in the southern part of the State, a man possessing many qualities which admirably fitted him for a demagogue of the highest order, mounted the hobby and rode it in a storm of passion through several counties in the south. The legislature of 1826-'7 repealed the circuit system, turned the circuit judges out of office, and required the judges of the supreme court to hold the circuit courts. The chief reasons for the repeal of the system were its cost and the proscription of a popular clerk. It was thought to be the height of extravagance to maintain nine judges, though the salaries of all of them together amounted only to six thousand two hundred dollars. The salary of a judge of the supreme court was eight hundred dollars and that of a circuit judge was six hundred dollars. Such were then the popular notions of economy and extravagance in public expenditures.

The effort to repeal the circuit judges out of office was aided by a decision of Judge



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McRoberts on the circuit. It has been said before that Gov. Coles had emancipated his negroes. The law required him to give a bond for their good behavior, and that they should not become a county charge. This he omitted to do and thereby subjected himself to a penalty of two hundred dollars for each negro, to be sued for by the county in which they were set free. The county commissioners of Madison county during the convention contest were instigated to bring a suit against him for this penalty and obtained the verdict of a jury in the suit for two thousand dollars; but before any judgment was rendered the legislature, by law, released him from the penalty. At the next term of the court Gov. Coles, in pursuance of the act of the legislature for his relief, pled it in bar of a judgment on the verdict. But Judge McRoberts, being under the erroneous belief that the legal doctrine of vested rights was applicable to municipal corporations created solely for purposes of government, decided that the law was unconstitutional and void. The decision made a great noise at the time, as it naturally would directly after a fierce contest about slavery. It was taken to the supreme court and reversed, as a matter of course.

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At the session of 1825, also, William S. Hamilton<sup>18</sup> introduced a new road law, which passed the legislature. Hitherto the law had required every able-bodied man to work on the roads five days in the year. The new law levied a tax in proportion to property, to be applied in money or labor to the construction and repair of roads. Gov. Duncan, then a member of the Senate, introduced a bill which became a law for the support of schools by a public tax. Both of these laws worked admirably well. The roads were never, before nor since, in such good repair, and schools flourished in almost every neigh-

<sup>18</sup> William Stephen Hamilton was a son of Alexander Hamilton of New York. Born in 1797, he entered West Point in 1814 but resigned in 1817 to accept an appointment to the staff of Colonel William Rector, Surveyor General of Illinois, Missouri, and Arkansas, with headquarters in Illinois. Charles Ballance relates that he surveyed the town plat of Peoria and in this connection named the principal streets. *History of Peoria*, 61. About the year 1827 he removed to the Lead Mines, settling at Wiota, Wisconsin, where "Hamilton's Diggings" was for many years a well known local center of activity. An interesting contemporary description of his establishment here is given in Mrs. Kinzie's *Wau-Bun*, the Lakeside Classics volume for 1932, 164-73. He removed to California following the discovery of gold in that region and died of the cholera at Sacramento shortly prior to October 18, 1850. See Sylvan J. Muldoon, *Alexander Hamilton's Pioneer Son . . .* (Harrisburg, 1930).

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borhood. But it appears that these valuable laws were in advance of the civilization of the times. They were the subject of much clamorous opposition. The very idea of a tax, though to be paid in labor as before, was so hateful that even the poorest men preferred to work five days in the year on the roads rather than to pay a tax of twenty-five cents, or even no tax at all. For the same reason they preferred to pay all that was necessary for the tuition of their children, or to keep them in ignorance, rather than submit to the mere name of a tax by which their wealthier neighbors bore the brunt of the expense of their education. Both of these laws were repealed and the old systems restored by the legislature of 1826-'7. Since then the legislature has been constantly engaged in making and amending laws for roads and schools, but there has been no good system of either. Each subsequent attempt has been only a vain effort to accomplish its purpose by inadequate means. To come forward a little, in 1840 Judge William Thomas of Jacksonville prepared a school bill which became a law, but for want of the taxing power, which the legislature refused to grant, it had but little effect. In the summer of 1844 John S. Wright of Chicago, H. M. Weed of Lewis-

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ton, Thomas M. Kilpatrick of Winchester, and others got up a common school convention at Peoria which prepared a very enlightened memorial to the legislature in favor of common schools; and as a means of furthering the common object the governor, at the session of 1844, recommended the appointment of a superintendent of common schools to stir up the people and to collect information for the use of the legislature. The whole resulted in a new school law making the secretary of State *ex officio* the superintendent of common schools and authorizing a school tax to be levied in each district. Mr. Thompson Campbell, the secretary of State, made an able report to the legislature of 1846-'7, from which it appears that information had been collected from fifty-seven counties only out of the ninety-nine in the State, and that with the exception of Chicago and some other places the common schools were nowhere in a very flourishing condition. The school commissioners and other agents of schools in the counties, receiving no compensation for their services, were generally negligent of their duties, or not qualified to perform them. Almost everywhere the people had refused to tax themselves under the law; and in almost all the south part of the State there were complaints

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that the legal standard of qualifications for teachers was too high, the law requiring a knowledge of reading, writing, and arithmetic, English grammar, geography, and history; and the people, being scarce of materials for such learned teachers, were desirous of getting back to the old standard of reading, writing, and ciphering, to the rule of three, or at farthest through the arithmetic.

And now to go back again; at the session of 1824-'5 the judges of the supreme court were appointed to prepare a revision of the laws and present it at the next session. At the session of 1826-'7 Judges Lockwood and Smith presented the result of their labor, which was adopted, and the laws then presented by them have been standard laws in every revision since. It is believed that they were the authors of the laws in the revised code under the titles Abatement, Account, Amendments and Jeofails, Apprentices, Attachments, Attorneys, Bail, Bills of Exchange, Chancery, Conveyances, Courts, Criminal Code, Depositions, Detinue, Dower, Evidence, Forcible Entry and Detainer, Fugitives from Justice, Habeas Corpus, Jails and Jailors, Limitations, Mandamus, Minors and Orphans, Ne Exeat and Injunctions, Oaths and Affirmations, Practice,

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Promissory Notes, Replevin, Right of Property, and Sheriffs and Coroners. Judge McRoberts prepared the act concerning frauds and perjuries; Judge Sawyer, the act concerning insolvent debtors; Judge Young, the act concerning wills and testaments; and Henry Starr, Esq., now of Cincinnati, prepared the act concerning judgments and executions. It is most probable that all these laws were more perfect when they came from the hands of their authors than after they were amended somewhat out of shape and system by the legislature.

A new election for governor took place in 1826, for which office there were three candidates. Thomas C. Sloe, now of New Orleans, was one of them. He was a well-informed merchant and a man of good character and strong sense, and withal was a well-bred, courteous gentleman. Ninian Edwards and the then lieutenant-governor, Adolphus Frederick Hubbard, were the other two candidates. As a part of a picture of the times, and as illustrative of what a candidate for governor thought of himself and the people, I preserve a few words of one of Mr. Hubbard's public addresses during the canvass. In his speeches he said: "Fellow-citizens, I offer myself as a candidate before you for the office of governor. I do not pretend to be a

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man of extraordinary talents; nor do I claim to be equal to Julius Cæsar or Napoleon Bonaparte, nor yet to be as great a man as my opponent, Governor Edwards. Nevertheless, I think I can govern you pretty well. I do not think that it will require a very extraordinary smart man to govern you; for to tell you the truth, fellow-citizens, I do not think you will be very hard to govern, no how." Mr. Hubbard could not have made his last assertion with much show of truth for several years past.

This gentleman had made himself famous for a number of odd sayings, and by a speech in the legislature on a bill to pay a bounty on wolf-scalps. Tradition has preserved this speech as follows: "Mr. Speaker, I rise before the question is put on this bill to say a word for my constituents. Mr. Speaker, I have never seen a wolf. I cannot say that I am very well acquainted with the nature and habits of wolves. Mr. Speaker, I have said that I had never seen a wolf. But now I remember that once on a time as Judge Brown and I were riding across the Bonpas prairie we looked over the prairie about three miles and Judge Brown said, Hubbard! look! there goes a wolf! And I looked, and I looked, and I looked, and I said, Judge, where? And he said there; and I looked again, and this time,

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in the edge of a hazel thicket about three miles across the prairie I think I saw the wolf's tail. Mr. Speaker, if I did not see a wolf this time, I think I never saw one. But I have heard much and read more about this animal. I have studied his natural history. By-the-bye, history is divided into two parts; there is, first, the history of the fabulous, and secondly, of the non-fabulous, or unknown ages. Mr. Speaker, from all these sources of information I learn that the wolf is a very noxious animal; that he goes prowling about seeking something to devour; that he rises up in the dead and secret hours of the night, when all nature reposes in silent oblivion, and then commits the most terrible devastations upon the rising generation of hogs and sheep. Mr. Speaker, I have done, and return my thanks to the house for their kind attention to my remarks." These speeches are truly characteristic of the man; and they are given as being illustrative of the state of civilization which existed when such a man could be elected to the office of lieutenant-governor, and gain such popularity in his office as to be encouraged to become a candidate for governor.

Ninian Edwards, the other candidate at this election, was born in Maryland and brought up in Kentucky. He was bred to



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the legal profession, and became attorney-general of Kentucky at an early age. At the age of twenty-eight he was appointed chief justice of the High Court of Appeals. He held this office when the late Chief Justice Boyle of Kentucky was appointed the first governor of the Illinois territory in 1809. Mr. Edwards preferred to be governor of the territory and Mr. Boyle preferred to be chief justice; so in the end they exchanged offices. Edwards was sent out to Illinois by the president as first governor of the territory, and Boyle was made chief justice by the Governor of Kentucky. Edwards was a large, well-made man, with a noble, princely appearance, which was a circumstance greatly in his favor as governor over a rude people, of whom it may be said that the animal greatly predominated over the intellectual man. In fact it may well be questioned whether mankind ever will become so intellectual and spiritual that mere size, vigor of muscle, and consequent animal spirits will cease to have more influence with the multitude than mere intellect, unaided by these fleshly advantages. Gov. Edwards had been governor of the Illinois territory for nine years, and was then elected to the United States Senate. In this office he showed an extensive knowledge of public affairs and

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became distinguished as a man of fine talents throughout the Union. Whilst in the Senate he was appointed by Mr. Monroe to be minister to Mexico, and shortly after this appointment, whilst on his way home to Illinois to prepare for his mission, he wrote out and sent back to the House of Representatives in Congress various charges against William H. Crawford, secretary of the treasury, accusing him of a corrupt administration of the treasury department in aid of his election to the presidency. A committee of investigation was appointed, a messenger of the House was sent after Mr. Edwards, with whom he was required to return to Washington. Mr. Edwards failed to make good his charges to the satisfaction of the committee, and as this happened just before the presidential election of 1824, when the whole country was convulsed with excitement, it resulted in prostrating his character abroad and very much affected his standing at home. Public opinion was so much against him in the nation that he resigned his mission to Mexico. Gov. Edwards has often informed me himself that he made the charges against Mr. Crawford under a promise of support from President Monroe, Gen. Jackson, John C. Calhoun, and John Quincy Adams. I merely give his words without

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pretending to know whether he spoke the truth or not. But one thing makes his statement the more probable. Mr. Crawford had been nominated for the presidency by a caucus of fifty or sixty of the republican members of Congress. Before that time this had been the usage of the republican party. But Gen. Jackson, John Quincy Adams, and Henry Clay were independent candidates; John C. Calhoun had been one and declined; and many people, believing caucus nominations by members of Congress to be utterly corrupt and corrupting, a powerful party was formed to break up the usage. Upon this principle all the other candidates and their friends were rallied against Mr. Crawford.

This defeat very much injured the influence of Gov. Edwards, and now, when, as a candidate for Governor he attacked the financial system which had hitherto prevailed; and committed himself to press an investigation into the corruptions of the old State bank he was not listened to or confided in to the extent required by a reformer in the work of reforming public abuses. He was opposed by all the old members of the legislature who had supported the many unwise measures of finance, and by the whole bank influence, from the Presidents down to the

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lowest agents, who had in anywise cause to fear an investigation. But his great talents and fine personal appearance enabled him to triumph over his adversaries. He was elected by a mere plurality vote over Mr. Sloe, his principal opponent. It is worthy of remark here that he never condescended to the common low arts of electioneering. Whenever he went out among the people he arrayed himself in the style of a gentleman of the olden times, dressed in fine broadcloth, with short breeches, long stockings, and high, fair-topped boots; was drawn in a fine carriage driven by a negro; and for success he relied upon his speeches, which were delivered with great pomp and in a style of diffuse and florid eloquence.

When he was inaugurated in 1826 he appeared before the General Assembly wearing a gold-laced cloak, and with great pomp he pronounced his first message to the two houses of the legislature. In this address he merely repeated the grounds which he had taken as a candidate. But in several messages afterwards he pointed out to the House of Representatives specific acts of mismanagement and corruption on the part of the officers of the old bank. A committee of investigation was appointed. The bank directors and officers, new and old, were sent for

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from every quarter. The charges of corruption were directed more particularly against Judge Smith, who as cashier had administered the Edwardsville branch. Smith was a sagacious, active and blustering politician, and managed to make all persons who had been connected with the bank believe that they were all involved in a common danger. A powerful combination of influential men was thus formed to thwart the investigation and ensure their common safety from impeachment. And now commenced such a running to and fro about the seat of government by day and night as can only be equaled by a swarm of bees when rudely attacked in their hive. The Governor was openly and boldly charged with base motives; and that kind of stigma was attempted to be cast on him which is apt to fix itself upon a common informer. His charges against Mr. Crawford were remembered; and he was now charged with being influenced by hostility towards Judge Smith, who had been a friend to Mr. Crawford's election. Judge Smith, with others involved in the charges, as a sure mode of defence raised a cry of persecution and alleged that the whole weight of the executive power and influence, directed by the spirit of revenge, had been pointed to overwhelm them. With-

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out pronouncing here upon either the guilt or innocence of the accused it may be remarked that it is no uncommon thing for rogues, when about to be held accountable for crime, to seek sympathy and aid by raising a cry of persecution. And as strength is supposed to be on the side of men in high office and weakness on the side of private persons it is sure to happen that in contests between them the public sympathy inclines in favor of the weakest party; so that the strength of the one is apt to make him weak, and the weakness of the other makes him strong. And now, at this day, if a politician can get up a cry of persecution to operate in his favor it is a tower of strength; although in truth he be only suffering an exposure of his folly or villainy.

The evidence before the committee undoubtedly showed great mismanagement of the bank. But a committee of investigation had been packed for the purpose, and such was the influence of a combination of the officers of even an insolvent bank that a report was made without hesitation against the Governor's charges. Such was the influence of a bank conducted by public officers, being the first but not the last time in the history of Illinois in which it was proved that any considerable number of men of influ-

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ence, acting in combination, to whom the monied affairs of the State are entrusted are above all accountability; for which reason it has not as yet been safe for the State to have any great complicated interests to be managed by public officers; nor was it the last time when it has been proved that any considerable combination of men are irresistible, and not to be made accountable when associated to commit crime, or to procure immunity from punishment. See future chapters upon the history of banking in this State, fund commissioners, internal improvements, mobs and Mormons, for this proof.

It was during Gov. Edwards' administration in the summer of 1827 that the first Indian disturbances occurred since the war of 1812. This was called the Winnebago war. The Winnebagoes, Sacs and Foxes, Sioux, Menominies, and other northern nations towards the head waters of the Mississippi had been at war with each other most of the time for more than a century; and the United States had undertaken to act as mediators between them and restore peace.<sup>19</sup>

<sup>19</sup> Particularly by the treaty negotiated at Prairie du Chien in 1825, by which it was sought to establish boundaries and a neutral strip between the warring tribes.

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In fact it has been the policy of the United States government latterly to compel the Indian tribes to live in peace with one another; for experience has shown that war cannot exist amongst the Indians without its being inconvenient and dangerous to white people. But despite all the remonstrances of the United States government, hostilities were continued and murders frequently committed. In the summer of this year a party of twenty-four Chippeways were surprised by a war party of the Winnebagoes and eight of them were killed or wounded. The United States commander at Saint Peter's<sup>20</sup> caused four of the offending Winnebagoes to be arrested and delivered to the Chippeways, by whom they were shot for the murder. The white people had also a little before begun to overrun the Winnebago lands in the lead mines above Galena; many of the miners having pushed their searches for mineral as far as the Wisconsin river. This was a further source of irritation to the Winnebagoes. Red Bird, a Winnebago chief, was determined to revenge the

<sup>20</sup> Fort Snelling was established in 1819 at the junction of the Minnesota (formerly called the St. Peter's) River with the Mississippi. Although temporarily abandoned in 1858 it was reoccupied in 1861 and a garrison of the U. S. Army is still maintained there.



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shooting of the four Winnebagoes, and for this purpose he led a war party against the Chippeways, by whom he was defeated; and now returning disgraced and disappointed of his vengeance, he resolved to repair his disaster by an attack on the white people who had abetted his enemies, and, as he believed, invaded his country. On the 27th of June two white men were killed and another wounded near Prairie Du Chien; and on the 30th of July two keel-boats carrying supplies to Fort Snelling, situate at the mouth of the St. Peter's, were attacked by the Indians and two of the crew were killed and four wounded.

The intelligence of these murders alarmed the frontier settlements at Galena and in the mining country around it. Galena, as a town, had been settled about eighteen months before. Col. James Johnson of Kentucky had gone there with a party of miners in 1824, and had opened a lead mine about one mile above the present town. His great success drew others there in 1825; and in 1826 and 1827 hundreds and thousands of persons from Illinois and Missouri went to the Galena country to work the lead mines. It was estimated that the number of miners in the mining country in 1827, was six or seven thousand. The Illinoisans ran up the Mis-

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Mississippi river in steamboats in the spring season, worked the lead mines during warm weather, and then ran down the river again to their homes in the fall season; thus establishing, as was supposed, a similitude between their migratory habits and those of the fishy tribe called "Suckers." For which reason the Illinoisans were called "Suckers," a name which has stuck to them ever since. There is another account of the origin of the nickname "Suckers," as applied to the people of Illinois. It is said that the south part of the State was originally settled by the poorer class of people from the slave States, where the tobacco plant was extensively cultivated. They were such as were not able to own slaves in a slave State, and came to Illinois to get away from the imperious domination of their wealthy neighbors. The tobacco plant has many sprouts from the roots and main stem, which if not stripped off suck up its nutriment and destroy the staple. These sprouts are called "suckers," and are as carefully stripped off from the plant and thrown away as is the tobacco worm itself. These poor emigrants from the slave States were jeeringly and derisively called "suckers," because they were asserted to be a burthen upon the people of wealth; and when they removed to Illinois

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they were supposed to have stripped themselves off from the parent stem and gone away to perish like the "sucker" of the tobacco plant. This name was given to the Illinoisans at the Galena mines by the Missourians. Analogies always abound with those who desire to be sarcastic; so the Illinoisians by way of retaliation called the Missourians "Pukes." It had been observed that the lower lead mines in Missouri had sent up to the Galena country whole hordes of uncouth ruffians, from which it was inferred that Missouri had taken a "Puke" and had vomited forth to the upper lead mines all her worst population. From thenceforth the Missourians were regularly called "Pukes;" and by these names of "Suckers" and "Pukes" the Illinoisans and Missourians are likely to be called, amongst the vulgar, forever.<sup>21</sup>

<sup>21</sup> As usual with folklore, the story here presented of the origin of the popular nicknames for Missourians and Illinoisans defies definite documentation. To complete the recital, it should be added that the term "Badger" as applied to residents of Wisconsin is claimed to have originated at the same time as "Puke" and "Sucker." The Suckers were those miners who came up to the mines in the spring and returned down river (or overland) to winter in the older settlements. Those who "holed up" for the winter in the mining country were called "Badgers."

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The miners in all the surrounding country upon the alarm of Indian hostilities collected into Galena.<sup>22</sup> By order of Gov. Edwards Gen. Tom M. Neale marched there with a regiment of volunteers from Sangamon county; a considerable mounted force was raised amongst the miners, which elected Gen. Dodge to be their commander. The inhabitants fortified the town of Galena and Gen. Atkinson of the U. S. army with a body

Another story of the origin of the name Sucker was once related by Stephen A. Douglas to a group of fellow-congressmen. He described with appropriate detail the sufferings of George Rogers Clark's men when, invading the French Illinois in 1778, they were lost in the immense prairies and in danger of dying of heat and thirst. Just at eventide they emerged upon the bank of the Kaskaskia River and saw on the opposite bank the townsmen of Kaskaskia seated on their porches, imbibing through straws a cool and delectable liquid. The sight overwhelmed the suffering Virginians, who with one accord charged across the stream shouting "Surrender you Suckers, Surrender!" Thus was the mint julep, the invention of the settlers of the French Illinois, first made known to Virginians; and the inventors and their descendants have ever since gone by the name the thirsty invaders shouted at them across the waters of the Kaskaskia in the summer of 1778.

<sup>22</sup> On the contemporary scene at Chicago and the subsequent incidents of the war in that area see the *Autobiography* of Gurdon S. Hubbard, the Lakeside Classics volume for 1911; M. M. Quaife, *Chicago and the Old Northwest* . . . (Chicago, 1913), Chap. XIV.

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of regulars and volunteers marched into the Winnebago country of the Wisconsin river in pursuit of the offending Indians. The chief called Red Bird, with six other Indians of the tribe, voluntarily surrendered themselves prisoners to save their nation from the miseries of war. They were kept in jail a long time at Prairie Du Chien awaiting their trials for murder. Some of them were acquitted and some were convicted and executed.<sup>23</sup> It was the fate of Red Bird, who is described as having been a noble-looking specimen of the savage chieftain, to pine away and die in prison, not from the fear of death, but by a gradual wasting away, the victim of regret and sorrow for the loss of his liberty as he had been accustomed to enjoy it in the fresh green woods.<sup>24</sup>

By the session of the legislature of 1828-'9 the excitement of the politicians at the pre-

<sup>23</sup> But two of the Indians were convicted, the others being discharged for lack of evidence. The two men convicted were sentenced to be hung on Dec. 26, 1828, but both were pardoned by President Adams.

<sup>24</sup> The tragedy of Red Bird made a deep impression even upon the minds of his white enemies. A fine painting depicting the scene of his surrender to Colonel Whistler, the white commander, adorns the wall of the Governor's room in the state Capitol of Wisconsin at Madison. *Red Bird* (New York, 1923), a drama in four acts written by William E. Leonard, has been presented in Madison in recent years.

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vious session had somewhat subsided, as men had time to forget and forgive each other for the causes of their animosity. Gov. Edwards, in the electioneering campaign previous to his election, had run athwart the views and conduct of many of his best friends by attacking the various public abuses; and his attempt to impeach the managers of the old State bank had resulted in a signal failure. The lieutenant-governor, Kinney, one of his opponents, truly said of him "that he was like unto an old crippled horse which being no longer able to jump a fence had fallen over into a corn-field, but was hurt so much by the fall that he was not able to eat the corn after he had thus broken into it." So the governor sought to repair this disaster by starting a new hobby at this session. It is true that there was but little of political party in those days but this did not prevent great men from having their hobbies, or rather from proposing measures upon the consideration of which they preferred the elections should turn, rather than on their own merits; and it was singular that Gov. Edwards, the gifted and eminent man of talents with every personal advantage necessary to command success, should think it necessary to ride a hobby. With a person and manner well calculated

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to win popular admiration and favor and talents acknowledged by all to be superior to any of his competitors, it was somewhat strange that he could not be content to throw himself before the people upon his own merits, upon his reputation for talents, as an aspirant for office. As it was, his course could not be sensibly justified upon any ground except that of pointing the public attention to matters with which he stood connected, and thereby diverting it from himself.

Generally it is the men without merit, the men of small pretensions without natural gifts to conciliate favor, who ride hobbies and most insist upon measures as artificial helps to distinction. But if such appliances are necessary to make small things great, so they may be used to lift great weights from the low level of bad character to high and respectable positions in government.

The hobby which Gov. Edwards selected on this occasion was to claim for the State all the public lands of the United States lying within its limits. This claim was put forth in his message at this session with great earnestness, and is elaborately sustained upon the ground of State sovereignty, to which eminent domain it must necessarily belong; and upon the ground that Illinois

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had been admitted into the Union upon an equal footing with the original States.

I have been informed on good authority that the governor put forth this claim without having any confidence in its validity, and that it was fabricated in the first instance only to embarrass his enemies. The question was new; it had never been discussed before the people and it was unknown whether they would regard it with favor or otherwise. However, the governor's enemies were not to be entrapped; they were too cunning to oppose what might be a popular measure out of mere spite against its author. It is believed that no one had any confidence in the claim and yet the legislature were nearly unanimous in sustaining it. But this resulted in breaking down the opposition to Gov. Edwards' administration, for the members, thinking themselves compelled to support his humbug, were more than ordinarily docile and obsequious, supporting all his measures and electing all his candidates to office. Having laid a broad foundation to enrich the State with the public lands, they returned to their constituents swelling with importance and high expectations of future favor. But the people were not such big fools as they were believed to be, for many of them were indifferent on the



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subject and most of them laughed at their representatives in very scorn of their pretensions. Governor Edwards died of the cholera in Belleville in the year 1833. The county of Edwards in the Wabash country and the town of Edwardsville in Madison county were named in honor of him; and I had forgotten to mention in its proper place that the county of Coles on the head waters of the Embarrass river (pronounced Embraw) was named in honor of Governor Coles.

In looking back over this period of time and calling to mind the prominent actors in the scenes of that day, the fierce struggles and quarrels amongst them, the loves and the hatreds, the hopes, fears, successes and disappointments of men recently but now no more on the stage of action, one cannot but be struck with the utter nothingness of mere contests for office. Of the men who then figured, Jesse B. Thomas, Gov. Coles, Chief Justice Philips, Henry Starr, and Judge Hall have left the State; John McLean, Morris Birkbeck, Governor Bond, Elias K. Kane, Governor Edwards, Daniel P. Cook, Governor Duncan, Chief Justice Reynolds, George Forquer, Samuel McRoberts, and John York Sawyer are dead, reposing in their graves. But whilst they lived they were full of bustle and agitation, contending

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with each other for pre-eminence and place as if they divided the earth amongst them and office was immortal. Since their time they have had successors in the contest who have fluttered and shone for a few years and then disappeared forever, either by death, removal from the country, or loss of popularity. It is somewhat melancholy but highly instructive to look back upon the long list of popular names of those who for a time rioted in power, with a fair prospect of continued pre-eminence, but who have gone the way of all flesh to the grave or to oblivion, the way of the great mass of politicians.

About these times political parties began to form in Illinois. Hitherto Governor Edwards, Daniel P. Cook, and Judge Pope had constituted the heads of one party; whilst Governor Bond, Elias K. Kane, John McLean, Judge Thomas, and Judge Smith constituted the heads of the other. The parties which called forth their struggles were merely personal, and for men; measures and principles of national politics had nothing to do with them. Upon the election of Mr. Monroe in 1816 and during his long, successful, and glorious administration the angry elements of party were quelled and the nation rested in peace. The noise of the battle between federalist and republican had

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never reached Illinois. It is true that during the war of 1812 we had heard a rumor of the existence of such a people as the federalists in the old States. We had heard of their opposition to the war, of the Hartford Convention, and of the burning of blue lights in Connecticut as a signal to the enemy,<sup>25</sup> and the unsophisticated republicans of the territory, being at war with and surrounded by thousands of hostile savages, naturally concluded that the federalists were second in

<sup>25</sup> Prior to and during the War of 1812 the unity of national sentiment and energy which has characterized World War II was conspicuously lacking. New England as a section was much opposed to the commercial policies of President Jefferson and to the war which followed in their wake. The Hartford Convention, composed of delegates from all of the New England states meeting in secret sessions at Hartford, December 15, 1814 to January 5, 1815, was composed of Federalist delegates intent upon achieving the objectives of the anti-Administration party. Whether justly or not, it became a subject of ridicule, and charges of treasonable intent were long levied against it.

In like fashion the term "Blue Light Federalists," was long one of reproach and ignominy hurled at members of the Federalist party. It arose from the story that when Decatur's fleet of warships was about to leave New London Harbor to run the British blockade during the War of 1812, Federalist sympathizers with Great Britain placed blue lights at the mouth of the river as signals to inform the hostile fleet of the impending departure of the Americans.

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atrocities only to the great beast with the seven heads and ten horns. A federalist was hated with a most fervent hatred as being an enemy to his country and an aider and abettor of the savages in slaughtering defenceless women and children; but as there were none of them in Illinois it was impossible to rally parties here upon the principles of federalists and republicans. I have already mentioned Daniel P. Cook as being the first attorney general. He was elected to Congress in 1819 and was re-elected biennially until 1826, when he was beaten by the late Gov. Duncan. Mr. Cook was a man of eminent talents and accomplishments. In person he was small and erect. He was a man of great social powers, wholly without guile, and kindness, sincerity, and truth animated every motion of his body, making his face to shine and giving his manners a grace and a charm which the highest breeding will not always give. He was a complete gentleman, and in all his electioneering intercourse with the people he had the rare talent of making himself singularly acceptable and agreeable, without stooping to anything low or relaxing in the slightest degree the decorum or the carriage of a high-bred gentleman. His mind was uncommonly supple, wiry, and active and he could, as he

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pleased, shoot his thoughts readily over the great field of knowledge. As a speaker his voice, though not strong, was soft, melodious, and of great compass and variety of tone. He rose to a high reputation in Congress, and the last session he was there he acted as chairman of the important committee of Ways and Means of the lower house. To his services at this last session the people of Illinois are indebted for the donation by Congress of 300,000 acres of land for the construction of the Illinois and Michigan canal. For him the county of Cook was appropriately named, as more than half of its great prosperity is owing to his exertions in Congress in favor of the canal.

The defeat of Mr. Cook in 1826 by Gov. Duncan, marks a kind of turning point in the politics of Illinois. It is a new era in our elections, and marks the origin, though not the completion, of a great revolution in men's motives for political action. It is the point where the old system of electing public officers upon merit and personal preference was about to terminate, and the new principle of "measures, not men," was to begin. The opponents of Mr. Cook had run a candidate against him at every election; first John McLean, after him Elias K. Kane, and after him Gov. Bond. They had even

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endeavored to make Illinois a slave State, somewhat with a view to this eventual defeat. But they had failed on every occasion. Defeat only inspired new courage, and prompted them to the use of additional energy. They kept up their organization from year to year, and as parties were founded on the principle of personal affection to one set of men and personal hatred of another, and as men are more attached to their friends than to their principles, it followed that there was less defection and treachery in the ranks and more fidelity and devotion to leaders than have been since under the new system.

At last the time came for the Cook and Edwards party to go down and their enemies to rise. And this was the occasion of the revolution. Gen. Jackson, John Quincy Adams, William H. Crawford, and Henry Clay were candidates for President of the United States at the election of 1824. No one of the candidates received a majority of the electoral votes. The election, therefore, came into the House of Representatives in Congress. Mr. Cook gave the vote of Illinois to Mr. Adams, by which he was elected. Gen. Jackson had received more of the electoral votes than any other candidate. He had received two in Illinois, and Mr. Adams

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had received but one. The people believed that Gen. Jackson had been cheated out of his election by bargain, intrigue, and corruption; and whether their belief was well or ill-founded, they resented his defeat with a generous indignation which consumed all opposition, and which has continued to burn and consume until this day. The old opposition to the Cook and Edwards party and all the Crawford men now rallied in favor of Gen. Jackson. They brought out the late Gov. Duncan as a candidate against Mr. Cook, and by means of Gen. Jackson's great popularity and the resentment of the people against the vote for Mr. Adams he was elected by a small majority.

At this time Gov. Duncan was a thorough Jackson man, as the friends of Gen. Jackson were then called. He was what was called an original Jackson man, that is, he had been for Gen. Jackson the first time Gen. Jackson was a candidate. He was attached to Gen. Jackson from admiration of his character and the glory of his military achievements. As yet there were no principles or measures, nor even the names of federalist and republican, involved in the election. Gen. Jackson had not as yet declared his opinions on the tariff, except that he was in favor of "a judicious tariff;" nor upon internal im-

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provements by Congress, the bankrupt law, the distribution of the proceeds of the sales of the public lands; nor upon the constitutionality or expediency of a United States Bank. Nor did parties in Illinois rally upon these subjects for some years afterwards. A few years after Gov. Duncan's first election Gen. Jackson attacked the United States Bank, vetoed its charter, and removed from it the deposits of the public moneys. He also vetoed appropriations for the Maysville road, and for the improvement of the Wabash river. Gov. Duncan now, differing from him in opinion on these subjects, began to withdraw from his support; and his aversion to Gen. Jackson's administration was finally completed by his objections to Mr. Van Buren, an influential favorite of the President, likely to succeed him in office and in the control of the Jackson party. A public man has a perfect right to his own opinions and predilections. Gov. Duncan was a brave, honest man, a gentleman in his intercourse with society, and possessed a rare talent for conciliating affection and inspiring confidence. But his great error was in becoming attached to a party and a cause in the first instance without knowing the principles by which he was to be governed. Thousands of others were in the same predic-



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ament, many of whom, both before and after Gov. Duncan, left as he did when the Jackson policy began to be developed; and many, equally ignorant when they began in favor of Gen. Jackson, finding themselves suited by his measures and principles adhered to him with more devotion than ever. Afterwards, when Gov. Duncan had thoroughly identified himself with the opponents of Gen. Jackson, an old friend of his rebuked him and lamented over him as follows: "Now, Gov. Duncan, we Jackson men took you up when you was young, poor, and friendless; we put you into high office and enabled you to make a fortune; and for all this you have deserted us and gone over to the Adams men. You was like a poor colt. We caught you up out of a thicket, fed you on the best, combed the burrs out of your mane and tail, and made a fine horse of you; and now you have strayed away from your owners." Such were, and are likely to be, the opinions of mankind upon changes of political relations. No allowance is made for the altered circumstances of the times, for the oblivion of old questions of dispute, or the springing up of new ones not dreamed of in former contests. Neither is any allowance made amongst fierce partisans for the fallibility of human judgment, nor for the results of a more ma-

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tured, careful, and candid examination of political questions. Mankind adopt their principles when they are young, when the passions are strong, the judgment weak, the mind misinformed, and are generally influenced in their adoption by mere prejudice arising from attachment to friends. The mind has nothing to do with it. If afterwards they attain to more knowledge and capacity they are required to persevere in their first impressions or to be branded with inconsistency. Without asserting that Gov. Duncan was right in his change, for such would not be my opinion, yet it would seem from his example and that of many others that it would be better for politicians if they could reverse the order of their existence, come into the world in their old age and go out when they are young. As it really is, a man comes into the world without knowledge, experience, or capacity to think, and before he gets them, under the influence of his attachments to men, he is required to make up his opinions upon all the grave questions which are to affect himself or his country. He is to take a party name, and however much he may afterwards become enlightened, or parties shift grounds, he is never to change, under the penalty of being branded as a traitor to his party. But per-

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haps this is one of the means appointed by providence and implanted in man's nature to keep the opinions of the men of the governing or majority party united and give some stability to the councils of republican government. The fact that there is such a number who even down to old age are never capable of forming opinions of their own would seem to favor such a conclusion.

In the year 1828 and afterwards the policy of selling the school lands and borrowing the school fund was adopted. From the very first organization of the State government the legislature had been too fearful of its popularity to provide adequate revenues by taxation. At first the State treasury relied upon taxes upon lands in the military tract, then unsettled and owned by non-residents. The land tax in other parts was given to the counties to aid them in building court-houses and jails and paying county expenses. This system kept the State treasury in debt. But it so happened that Congress had donated to the State a township of land for a seminary of learning; three per cent of the net proceeds of the sale of the public land, and the sixteenth section in every township for the support of common schools; that is, they had granted to the State one whole township of six miles square, and the thirty-sixth

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part of all the residue of the land in the State, and three per cent. of the net proceeds of the sales of the remainder to promote education in this new country. This was a most magnificent provision for education. The sixteenth section, amounting to near a million of acres, is destined to be worth a large sum of money. The man is now alive and full grown who will see the day when these lands will be worth from fifteen to twenty millions of dollars. So far as the sales have proceeded it may be judged that the whole of them will not sell for more than one million and-a-half, or two millions of dollars; and before the end of this generation it is to be feared that under the system adopted of selling and then lending out the price, most frequently on personal security, there will be no trace or vestige of this beneficent donation remaining either in money or lands.

Laws were first made for leasing out these lands, the rents to be paid in improvements; but the lessees soon desired a more permanent title. Every township throughout the inhabited parts had settlers on the school section, either as lessees or squatters, who were entitled to a vote at elections; and in a newly-settled country where the whole people came merely to better their individual

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fortunes as to property, with but little devotion to the public interest or to that of posterity, these lessees and squatters were likely to have great influence in government. And this is only one instance out of a thousand in Illinois in which a very small minority united by interest, passion, prejudice, or clanship and acting with bold vigor, has controlled the majority and sacrificed the public interest to individual interest. I speak what I know when I say that the laws to sell school lands were passed to please the people who were settled on them, who wanted to purchase them at the Congress price, whilst the other inhabitants being divided into little factions and thinking more of success at one election than the interest of all posterity; and acting upon the principle that what is everybody's business is nobody's business, aided or suffered the mischief to be done. It is true that other reasons were alleged in the legislature. It was said that if these lands were not sold the children of that generation must lose all benefit from them, and their value would be destroyed by being stripped of their timber. These were the reasons assigned in debate, but they were not the true reasons for these laws. It has been often the case in an Illinois legislature that a majority of the members for secret and

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selfish reasons of their own first resolve upon a measure and then invent the reasons to be given to the public for it afterwards; and these invented and artificial reasons are always the reasons assigned in debate. So, too, to relieve the State treasury from debt the legislature, to save the popularity of members by avoiding the just and wholesome measure of levying necessary taxes, passed laws for the sale of the seminary township and for borrowing the proceeds of the sale and the three per cent. school fund; and for paying them out as other public moneys and for paying an annual interest thereon to the several counties for the use of schools. By which means the debt of the State for these moneys alone amounted in 1842 to \$472,493. Thus, as I conscientiously believe, was a township of land sacrificed at low prices; the school fund robbed, and a debt of near half a million of dollars fixed upon the State, rather than that the members would run the risk of not getting back to the legislature, or of being defeated for some other office. This money was paid into the treasury in sums averaging \$20,000 per annum. The annual interest now paid on it is \$28,000. And so to save the popularity of members of the legislature the State has received about \$20,000 a year for about

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twenty-five years; by which she has become bound to pay \$28,000 per annum, forever; the difference against the State being the difference between twenty thousand dollars borrowed, and twenty-eight thousand dollars annual interest; and the difference between eternity and twenty-five years. The only good which can result from these unwise and selfish measures is that they will inevitably compel the State into a system of taxation for the support of schools; and the payment of interest on these borrowed moneys will furnish the pretext and excuse for it.

## Chapter 3

POLITICAL AND SOCIAL DEVELOPMENT,  
1827-1830

**N**OTHING more of importance occurred in the history of the State than what is related in the last chapter, until 1830. A few miscellaneous facts and a slight review of the progress of society and the workings of government during this time may not be uninteresting.

In 1827 there was a very excited election before the legislature for a State treasurer, in which the former incumbent of the office was defeated. After the election was over the Assembly immediately adjourned; but before the members got out of the house the unsuccessful candidate walked into their chamber and administered personal chastisement upon four of the largest and strongest of his opponents who had voted against him. The members generally broke one way or another out of the house and fled like sheep from a fold invaded by a wolf. No steps were ever taken to bring the offender to punishment, but the same session he was appointed clerk of the cir-



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cuit courts and recorder for Jo Daviess county.

During all this time from 1818 to 1830 a very large number of sheriffs elected by the people were defaulters to the State or to counties for taxes, or to individuals for moneys collected on execution. The practice was to take the moneys collected on execution and with them pay up for taxes, for without getting certificates of having paid all moneys charged to them for taxes the sheriffs were not allowed to be commissioned when re-elected. The people generally felt but little interest in the collection of moneys for debt and paying it over, so that a defalcation here was not apt to injure the popularity of an officer who would lend the people money to pay their taxes, and who was compelled by his official duty to be constantly around among them, giving him ample opportunity to make friends, contradict charges, and thus secure his election.

In those days justice was administered without much show, parade, or ceremony. In some countries the people are so ignorant and stupid that they have to be humbugged into a respect for the institutions and tribunals of the State. The judges and lawyers wear robes and gowns and wigs, and appear before them with all the "excellent gravity"

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described by Lord Coke. Wherever means like these are really necessary to give authority to government it would seem that the bulk of the people must be in a semi-barbarous state at least, and must so lack intelligence and capacity as to be influenced more by mere outside show than by the realities of wisdom and real dignity of character in the judge. The judges in early times in Illinois were gentlemen of considerable learning and much good sense, and held their courts mostly in log-houses or in the bar-rooms of taverns fitted up with a temporary bench for the judge and chairs or benches for the lawyers and jurors. At the first circuit court in Washington county, held by Judge John Reynolds, the sheriff, on opening the court, went out into the court-yard and said to the people: "Boys, come in, our John is going to hold court." This was the proclamation for opening the court. In general the judges were averse to deciding questions of law if they could possibly avoid doing so. They did not like the responsibility of offending one or the other of the parties, and preferred to submit everything they could to be decided by the jury. They never gave instructions to a jury unless expressly called for; and then only upon the points of law raised by counsel in asking for them. They never

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commented upon the evidence or undertook to show the jury what inferences and presumptions might be drawn from it; for which reason they delivered their instructions hypothetically, stating them thus: "If the jury believe from the evidence that such a matter is proved, then the law is so and so." This was a clear departure from the practice of the judges in England and most of the United States; but the new practice suited the circumstances of the country. It undoubtedly requires the highest order of talent in a judge to "sum up" the evidence rightly to a jury so as to do justice to the case and injustice to neither party. Such talent did not exist to be put on the bench in these early times; or at least the judges must have modestly believed that they did not possess it.

I knew one judge who when asked for instructions would rub his head and the side of his face with his hand as if perplexed and say to the lawyers, "Why, gentlemen, the jury understand the case; they need no instructions; no doubt they will do justice between the parties." This same judge presided at a court in which a man named Green was convicted of murder; and it became his unpleasant duty to pronounce sentence of death upon the culprit. He called

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the prisoner before him, and said to him: "Mr. Green, the jury in their verdict say you are guilty of murder, and the law says you are to be hung. Now I want you and all your friends down on Indian Creek to know that it is not I who condemns you, but it is the jury and the law. Mr. Green, the law allows you time for preparation, and so the court wants to know what time you would like to be hung." To this the prisoner replied, "May it please the court, I am ready at any time; those who kill the body have no power to kill the soul; my preparation is made, and I am ready to suffer at any time the court may appoint." The judge then said, "Mr. Green, you must know that it is a very serious matter to be hung; it can't happen to a man more than once in his life, and you had better take all the time you can get; the court will give you until this day four weeks. Mr. Clerk, look at the almanac and see whether this day four weeks comes on Sunday." The clerk looked at the almanac, as directed, and reported that "that day four weeks came on Thursday." The judge then said, "Mr. Green, the court gives you until this day four weeks, at which time you are to be hung." The case was prosecuted by James Turney, Esq., the attorney-general of the State, who here inter-

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posed and said: "May it please the court, on solemn occasions like the present when the life of a human being is to be sentenced away for crime by an earthly tribunal it is usual and proper for courts to pronounce a formal sentence, in which the leading features of the crime shall be brought to the recollection of the prisoner, a sense of his guilt impressed upon his conscience, and in which the prisoner should be duly exhorted to repentance, and warned against the judgment in a world to come." To this the judge replied: "O! Mr. Turney, Mr. Green understands the whole matter as well as if I had preached to him a month. He knows he has got to be hung this day four weeks. You understand it in that way, Mr. Green, don't you?" "Yes," said the prisoner; upon which the judge ordered him to be remanded to jail and the court then adjourned.

If some judges were unwilling to risk censure by giving instructions to juries, there was at least one who was very positive in his mode of instructing them. This one, being more ambitious to show his learning and ability, gave very pointed instructions on one occasion; but the jury could not agree on a verdict. The judge asked to know the cause of their difference, whereupon the foreman answered with great apparent honesty

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and simplicity, "Why, judge, this 'ere is the difficulty. The jury want to know whether that *ar* what you told us when we first went out was *raly* the law, or whether it was *ony jist* your notion." The judge of course informed them that it was really the law, and they found a verdict accordingly.

Some other judges through fear of doing wrong, or feeling a timid anxiety to avoid censure if they were compelled to give instructions which might decide the verdict on one side, were careful to accompany them with such exceptions and explanations as served to mystify what they had previously said, and destroy its force with the jury. Others again were accused of partiality, and when a principle of law was in favor of the party whom they desired to lose the case they took this mode, when compelled to give instructions, of rendering them of no force or value. To this day some of the judges are reluctant to give proper instructions to juries. This arises from a want of confidence felt by the judge in his own capacity; from a pusillanimous fear of giving offence, or a desire to avoid doing anything in favor of a side which the judge has determined shall not win if he can help it. It appears that this practice must have continued down to a late period, for the legislature of 1846 passed a

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law requiring all instructions to juries to be given in writing, and that there should be no exceptions or explanations but such as should be given in writing also. Whether this will be an improvement of the law remains to be seen.

In this period there were many eminent lawyers in the State. Messrs. Cook, McLean, Starr, Mears, Blackwell, Kane, Lockwood, Mills, and Chief Justice Thomas Reynolds would have ranked respectably as lawyers at any bar in the United States. The character of the litigation was somewhat different from what it has been since. Except during one time of general indebtedness the lawsuits were principally small appeal cases, actions of trespass, trover replevin, slander, indictments for assault and battery, affrays, riots, selling liquor without license, and card playing; but there was a natural leaning on the part of jurors against convictions for these minor offences, and so it was a rare thing that any one was convicted. There was now and then an indictment for murder or larceny and other felonies, but in all cases of murder arising from heat of blood or in fight it was impossible to convict. The juries were willing enough to convict an assassin or one who murdered by taking a dishonorable advantage, but otherwise if there was a

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conflict and nothing unfair in it. This same spirit prevailed in Kentucky and Tennessee, and was the cause of the great success of Clay, Rowan, and Grundy in defending trials for murder.

During a part of this time all elections were by ballot. This mode of voting has always been most insisted on in old settled countries in which wealth is accumulated in the hands of the few, where there are a few landlords, and the great body of the people tenants, where some are capitalists and employers, and others laborers and dependents. In such countries the ballot is supposed to preserve the independence of the poor and make them irresponsible to their wealthy superiors. But in Illinois the ballot mode of voting came near destroying all manly independence and frankness. As there were no measures to be contended for in elections, suffrage was bestowed as a matter of favor. To vote against a candidate was equivalent to an insult, by telling him that he was not so worthy or so well qualified as his opponent. Therefore many of the voters never let it be known how they voted at elections. And this was the origin of the "keep dark" system of former times, which is thus explained. Each candidate for office and his more immediate friends kept their preference



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for other candidates for other offices to be filled at the same election a profound secret. There were many offices to be filled at each election, and the candidates made secret combinations amongst each other for mutual support a few days before or on the day of election. But as these engagements for mutual support were secret and could only be carried out and fulfilled in secret many were the frauds and breaches of faith among the candidates and their friends. That candidate who was the most intriguing and unprincipled, in common cases was the most likely to be elected. In the course of a few years' practice under the system it was difficult to find any aspirant for office who would risk the expression of an opinion about any person or thing. Each one sought to keep himself in a position of non-committalism, in which he would be at liberty to make the best bargains for himself, to fulfil such engagements as would result most to his advantage, and to cheat such other candidates as he might be obliged to sacrifice. This "keep dark" system less or more pervaded the whole office-seeking tribe from the highest to the lowest, so that it was a rare thing to find amongst the humble expectants of the office of constable any degree of frankness of conversation or independence in the

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expression of opinion. No doubt this result was as much produced by the want of the influence of "measures," the want of party lines, as by the ballot mode of voting; but the two together made an election, so far as the candidates and their immediate friends were concerned, one great fraud, in which honor, faith, and truth were freely sacrificed and politicians were debased below the standard of the popular idea of that class of men. The ballot system of voting was repealed in 1828-'9.

In the primary elections by the people many influences were at work to thwart the establishment of a wise policy. In almost every county there was a race of the original pioneers, many of whom were ignorant, illiterate, and vicious. These were apt to be such as wore the hunting-shirt, the buckskin trousers, the raccoon skin cap, and leather moccasins. These delighted to wear a butcher knife as an appendage of dress. They claimed unbounded liberty, and were naturally hostile to any action of government tending to their improvement and civilization. It is true that this class of people formed but a small minority, but the better informed and more civilized portion were so divided by faction and split up by contests amongst themselves for power and

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office that these "butcher knife boys," as they were called, made a kind of balance of power party. These people, from their propensity to fight and to lead uproarious lives, were also called "the half horse and half alligator men." In all elections and in all enactments of the legislature great pains were taken by all candidates and men in office to make their course and measures acceptable to these "butcher knife boys;" and most of the elections in early times were made under "butcher knife influence;" not that these instruments were actually wielded to force an election, but only the votes of those who carried them. The candidate who had the "butcher knife boys" on his side was almost certain to be elected. Since the butcher knife has been disused as an article of dress, the fashion has been to call this class of people "the bare-footed boys," "the flat-footed boys," and "the huge-pawed boys," names with which they seem to be greatly tickled and pleased, and their influence is yet considerable in all elections.

Personal politics, intrigue, and a disregard of the public welfare were carried from the primary elections into the legislature. Almost everything there was done from personal motives. Special legislation for the benefit of friends occupied members and di-

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verted their attention from such measures as were for the general benefit. The man of the most tact and address, who could make the most friends and the most skilful combinations of individual interests, was always the most successful in accomplishing his purposes. A smooth, sleek, supple, friendly manner, which by gaining favor imposed upon credulity, made a politician formidable. Truly, the man who could approach another with a graceful and friendly impudence and readily conciliate good-will, was potent indeed. The genius and humor of the times invented or imported a slang language very expressive of the achievements of these political heroes. Such an operator in politics was said to carry "a gourd of *possumfat*" with which to "grease" the members. It is not known why the fat of the opossum was selected for the emblem of this kind of tact, unless because it was the most fluid and slippery of oils then known in the country. The easy, facile, credulous fool who was the victim of artful fascination was said to be "*greased and swallowed.*" A man was "greased" when he was won over to the purposes of another by a feigned show of friendship and condescension; and he was "swallowed" when he was made to act to suit the purposes of "the intrigue," whatever it

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might be. Sometimes the act of lubrication by which a man was fitted to be "swallowed" was supposed to be performed with "*soft soap*." It was no uncommon thing to hear that such a one "had a great deal of soft soap about him," and was a "great hand to swallow people." Gov. Edwards was said to be the greatest hand to swallow people in all the country; and when he was last a candidate for governor it was charged on him that he had not only swallowed a great many of his former enemies, but that he had actually performed the grand operation of swallowing himself. The simpleton who suffered himself to be made a mere instrument in the hands of another to do something discreditable or unpopular, whereby he was unable to be elected again, was said to be "used up," meaning that he had been used like the aforesaid soft soap or other household article until there was no more of him left.

During this period of twelve years neither the people nor their public servants ever dreamed that government might be made the instrument to accomplish a higher destiny for the people. There seemed to be no aim to advance the civilization and real happiness of the human family. Government was supposed to be necessary not because

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any one understood or cared for its true object but because men had been in the habit of living under government. The people looked around and they saw that everybody, everywhere else, lived under some kind of government, and they merely submitted to it to be in the fashion with other States and nations; but they did not want government to touch them too closely or in too many places: they were determined upon the preservation and enjoyment of their liberties. So that government made no encroachment upon liberty, they inquired no further into its true aim and object. But not so with politicians; they had a definite destiny to accomplish, not for the people but for themselves. In fact the great mass of the people, politicians and all, had a mere selfish destiny in view. The people were, most of them, pioneers and adventurers, who came to a new country hoping to get a living with more ease than they had been accustomed to, or to better their condition as to property. Such persons cared but little for matters of government except when stirred up by their demagogues; and then they had no definite object to accomplish except to punish their representatives for a single act or vote which was, nine times out of ten, a good one. The politicians took ad-

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vantage of this lethargic state of indifference of the people to advance their own projects, to get offices and special favors from the legislature, which were all they busied their heads about. The people asked nothing and claimed nothing but to be let alone, and the politicians usually went to work to divide out the benefits and advantages of government amongst themselves; that is, amongst the active men who sought them with most tact and diligence. Offices and jobs were created, and special laws of all kinds of individual, not general benefit, were passed, and these good things were divided out by bargains, intrigues, and log-rolling combinations, and were mostly obtained by fraud, deceit, and tact.

It is related of Mr. Samuel Crozier, a former Senator from Randolph county, who was a remarkable example of the most pure, kind, and single-hearted honesty, that after serving two sessions in the Senate, at the close of the second, and after he had been bought and sold a hundred times without knowing it, he said he "really did believe that some intrigue had been going on." So little as this are honest men aware of the necessity of keeping their eyes open in sleepless watchfulness, or otherwise the few will monopolize all the advantages of govern-

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ment, and it will be done in the most unfair and corrupt manner. Thus it was that a corrupt, cunning, and busy activity blinded the eyes of the people and their representatives, governed in the name of the people, and divided out amongst those who practiced it nearly all the benefits and advantages of government. In every government the administration of it will, in the long run, reflect the true character of the people; and this is one thing which I desire to illustrate in this history. Many persons erroneously believe that good laws will make a good government; whereas, if the genius of the people will permit it, the best laws will be badly administered and will make a bad government. Reformation is not to begin with the laws or with the politicians, but with the people themselves; and when they are reformed, they will reform everything else. An indifferent, selfish, and ignorant people will be made known by selfish and corrupt politicians who administer their government and pervert the best of laws to the worst of purposes. If we could find a people truly wise, incapable of being misled, deceived, or humbugged, we should find statesmen instead of intriguing politicians, and a government where all the people enjoyed equal benefits and advantages arising from it, and



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where none would be permitted by fraud, tact, deceit and humbug to exceed their just share. If this rule be observed, it will be the true test by which to judge of the capacity of a people for a good or bad self-government. Up to the year 1840, I can say with perfect truth that considerations of mere party, men's condescensions, agreeable carriage, and professions of friendship had more influence with the great body of the people than the most important public services. The capacity to be grateful for public services, short of fighting the battles of the country, existed to but a limited extent. But some could be grateful for individual benefits and all resented individual injury.

About the year 1820, and perhaps a little before, one or two educated ministers of the gospel removed to this State. The Rev. John M. Peck of Rock Spring in St. Clair county, I believe, was the first one.<sup>26</sup> By

<sup>26</sup> Peck was a Baptist preacher and missionary who removed from New York State to St. Louis in 1817 and to Rock Spring in 1822. For a third of a century thereafter he played an increasingly important role in the religious and cultural life of the Illinois-Missouri frontier. He established Rock Spring seminary in 1827. At a subsequent date it was removed to Upper Alton, where it was metamorphosed into Shurtleff College. Daniel Harmon Brush attended the seminary for a

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the year 1830 quite a number of them had come in from other States. They were either sent or encouraged to come by the missionary societies at the North and East; and being animated themselves by the principles of charity which have formed the religious world into benevolent societies of various sorts, they immediately began to make active efforts to get up Bible societies, tract societies, missionary societies, and Sunday-schools in Illinois. For a long time they were looked upon with jealousy and bad feeling by some of the old race of uneducated preachers. These last had been the pioneers of the gospel at a time when educated ministers with salaries could not have been supported. They had preached the doctrine of a free salvation, truly and literally without money and without price. At their own expense had they traversed the wilderness, slept in the open air, swam rivers, suffered cold and hunger, travelled on horseback and

short period in 1831; despite its reputation he seems not to have retained a very favorable memory of the training he received from it. See *Growing Up With Southern Illinois*, the Lakeside Classics volume for 1944, pp. 63-64. Peck organized Bible societies, founded religious periodicals, and authored gazetteers and other works descriptive of Illinois and the western country. See sketch of his career in *Dictionary of American Biography*.

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on foot to preach the gospel and establish churches. They were now about to be superseded, as some of them feared, and thrown aside for nice, well-dressed young men from college, whom they stigmatized as having no religion in their hearts and with knowing nothing about it except what they had learned at school. A daintier taste for preaching had grown up in the towns, which could be satisfied only by a more polished and intellectual ministry. The new preachers settled themselves mostly in the villages and towns, where a more enlightened preaching was most in demand. They obtained here what little salary the people were willing and able to pay; but drew their chief support from the contributions of charitable societies in the old States; and from the towns they occasionally made short excursions to preach in the country places. They were charged by some of the old ministers with exercising their ministry for the lucre of gain; with selling the gospel to those who were able to pay for it; with desiring the salvation of the genteel, well-dressed, rich people who lived in the towns, and with being utterly unconcerned about the salvation of the rough poor people in the country, who were unable to pay them a salary. Nevertheless the new ministers persevered in their

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labors without taking any notice of these persecutions, and rapidly succeeded in forming congregations, organizing churches, and building places of worship. And now at this day the truth is apparent that both sorts of preachers were needed. Competition between them was not called for by the interest of either. The educated minister of the town with his learning and better information and his more chaste and subdued style of eloquence would have been but an indifferent teacher of religion in many country places; whilst the unlearned, rough and boisterous speaker of former times was as little suited to carry the message of grace to "ears polite" in town.

I have said already that these new ministers were active in establishing all those kinds of societies which have been made to illustrate the spirit of benevolent enterprise characteristic of the first part of the nineteenth century. Everywhere they endeavored to promote education among the people, and in a few years they undertook to build colleges and seminaries of learning; and to obtain acts of incorporation for them from the legislature. But such was the prejudice against them on the part of the people that they did not succeed in getting any charters for several years, and when they did get

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them each charter contained a prohibition of a theological department, so determined were the people that no institution should be encouraged by law for educating a sectarian ministry at home.

A most remarkable change occurred during this period and a little before in the habits of dress and appearance of the people. After the year 1830 a man dressed in the costume of the territory, which was a raccoon-skin cap, linsey hunting-shirt, buckskin breeches and moccasins, with a belt around the waist, to which the butcher-knife and tomahawk on the side and back were appended, was rarely to be seen. The blue linsey hunting shirt with red or white fringe had given place to the cloth coat; the raccoon-skin cap with the tail of the animal dangling down behind had been thrown aside for hats of wool or fur. Boots and shoes had supplanted the deer-skin moccasin, and the leather breeches strapped tight around the ankle had disappeared before unmentionables of more modern material. The female sex had made a still greater progress in dress. The old sort of cotton or woollen frocks, spun, wove and made with their own fair hands and striped and cross-barred with blue dye and turkey red had given place to gowns of silk and calico. The

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feet, before in a state of nudity, now charmed in shoes of calfskin or slippers of kid; and the head formerly unbonnetted but covered with a cotton handkerchief now displayed the charms of the female face under many forms of bonnets of straw, silk or leghorn. The young ladies instead of walking a mile or two to church on Sunday, carrying their shoes and stockings in their hands to within a hundred yards of the place of worship as formerly, now came forth arrayed complete in all the pride of dress, mounted on fine horses, and attended by their male admirers.<sup>27</sup>

With the pride of dress came ambition, industry, the desire of knowledge, and a love of decency. It has been said that civilization is a forced state of man to which he is stimulated by a desire to gratify artificial wants; and it may be truly said that the young people of that day were powerfully advanced in the way of civilization by the

<sup>27</sup> Mrs. Rebecca Burlend, who came as a mature woman to Pike County in 1831, continued for many years to walk barefoot to and from church, carrying shoes and stockings to be donned, or discarded, upon entering or leaving the edifice. See *A True Picture of Emigration*, the Lakeside Classics volume for 1936, p. XXVIII. The information there supplied was given to the present editor by Mrs. Burlend's grandson, Frances Allen of Pittsfield, Ill., in 1936.

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new wants created by the new spirit by which they were animated. But the old people regretted the change. They would have been better contented to live in their old log cabins, go bare-footed, and eat hog and hominy. From such were heard complaints that the spinningwheel and the loom were neglected and that all the earnings of the young people were expended in the purchase of finery. The old world political economist foretold the ruin of the country. He was certain that all these new trappings and ornaments should be disused or manufactured at home; for if purchased from other States, all the money which came in must be sent out of the country as fast as it came.

But to the philosophical observer it appeared that those who adopted the new habits were more industrious and thrifty than those were who held on to the old ones. For this advancement in civilization the young people were much indebted to their practice of attending church on Sundays. Here they were regularly brought together at stated times; and their meeting, if it effected no better end, at least accustomed them to admire and wish to be admired. Each one wanted to make as good a figure as he could; and to that end came to meeting well-dressed

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and clean, riding on a fine horse elegantly caparisoned. This created in them a will to exert more than the old measure of industry; and taught them new notions of economy and ingenuity in business, to get the means of gratifying their pride in this particular. This again led to settled habits of enterprise, economy and tact in business, which once acquired and persevered in were made the cause of a thriftiness unknown to their fathers and mothers.

As to the practice of attending church on Sunday I am confident that it produced these effects I have observed very carefully in the course of thirty-five years spent on the extreme frontiers; that in those neighborhoods where the people habitually neglect to attend public worship on Sundays such improvements rarely, if ever, take place. In such places the young people feel no pride and do not desire improvement. They scarcely ever throw aside their every-day rough apparel to dress up neat and clean on Sunday. On that day the young men are seen with uncombed heads, unshorn beards, and unwashed linen, strolling in the woods hunting; or on the race-course, or at a grocery contracting habits of intoxication, or lounging sullenly and lazily at home. The young women in appearance, dress, manners



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and intelligence, are the fit companions for their brothers. Sunday to them brings no bright skies, no gladness, no lively and cheerful thoughts, and no spirits renovated by mixing in the sober, decent, quiet, but gay assemblage of youth and beauty. Their week of labor is not cheered by anticipations of the gay and bright fête with which it is to close. Labor through the week to them is a drudgery; and is performed with surliness and grudging; and their Sabbaths are spent in heedless sleepy stupidity. The young people of both sexes are without self-respect and are conscious of not deserving the respect of others. They feel a crushing and withering sense of meanness and inferiority mingled with an envious malignity towards all excellence in others who exhibit an ambition for improvement. Such neighborhoods are pretty certain to breed up a rough, vicious, ill-mannered and ill-natured race of men and women.

Commerce from 1818 to 1830 made but small progress. Steamboats commenced running the western waters in 1816 and by the year 1830 there were one or two small ones running on the Illinois river as far up as Peoria, and sometimes farther. The old keel-boat navigation had been disused; but as yet there was so little trade as not to call

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for many steamboats to supply their place.<sup>28</sup> The merchants of the villages, few in number at first, were mere retailers of dry-goods and groceries; they purchased and shipped abroad none of the productions of the country except a few skins, hides and furs, and a little tallow and beeswax. They were sustained in this kind of business by the influx of immigrants, whose money being paid out in the country for grain, stock and labor, furnished the means of trade. The merchant himself rarely attempted a barter business and never paid cash for anything but his goods. There was no class of men who devoted themselves to the business of buying and selling, and of making the exchanges of the productions at home for those of other States and countries. The great majority, in fact nearly all the merchants, were mere blood-suckers, men who with a very little capital, a small stock of goods, and with ideas of business not broader than their ribbands nor deeper than their colors sold for money down, or on a credit for cash, which when received they sent out of the country.

<sup>28</sup> A sprightly account of early steamboat travel on the Illinois River is supplied by Mrs. Eliza R. Steele, *A Summer Journey in the West* (New York, 1841); summarized in the present editor's *Chicago's Highways Old and New* (Chicago, 1923), pp. 82-84.

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Since their time a race of traders and merchants has sprung up who use the money they receive for goods in purchasing the wheat, corn, beef, and pork of the farmers; and ship these articles to the eastern cities. Mather Lamb & Co., late of Chester in Randolph county, but now of Springfield, were the first to engage in this business; and they were led to it by the refusal of the United States Bank at St. Louis to grant them the usual facilities of trade. As they could get no accommodation from the bank, they fell upon this course to avoid going to St. Louis to purchase eastern exchange.

The money which they received, being again paid out, remained in the country and the produce went forward in its place to pay for stocks of goods. The traders in this way made a profit on their goods which they brought into the State and another profit on the produce which they sent out of it.

But, as yet the merchants generally had neither the capital nor the talents for such a business; and it was not until a more recent period, upon the going down of the United States Bank, the consequent withdrawal of facilities for exchange in money, and the high rates of exchange which came in with local banks of doubtful credit that they have been very extensively forced into it. When

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they could no longer get either money for remittance to their eastern creditors or bills of exchange except at ruinous rates of premium, they at once saw the advantage of laying out the local currency received for their goods in purchasing the staples of the country and forwarding them in the place of cash. In very early times there were many things to discourage regular commerce. A want of capital, a want of capacity for the business, the want of a great surplus of productions, the continual demand for them created by immigrants, and facility of carrying on a small commerce with the money supplied by emigration alone, all stood in the way of regular trade. New Orleans at that time was our principal market out of the State. It was then but a small city and shipped but a trifle of the staple articles of Illinois to foreign countries. Such shipments as were made to it were intended for the supply of the local market; and here the Illinoisans had to compete with Kentucky, Ohio, Indiana, Tennessee, and Missouri. Any temporary scarcity in this market was soon supplied and the most of the time it was completely glutted.

For want of merchants or others who were to make a business of carrying our staples to market our farmers undertook to be their

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own merchants and traders. This practice prevailed extensively in the western country. A farmer would produce or get together a quantity of corn, flour, bacon, and such articles. He would build a flat-bottomed boat on the shore of some river or large creek, load his wares into it, and, awaiting the rise of water, with a few of his negroes to assist him would float down to New Orleans. The voyage was long, tedious, and expensive. When he arrived there he found himself in a strange city, filled with sharpers ready to take advantage of his necessities. Everybody combined against him to profit by his ignorance of business, want of friends or commercial connexions; and nine times out of ten he returned a broken merchant. His journey home was performed on foot through three or four nations of Indians inhabiting the western parts of Mississippi, Tennessee, and Kentucky. He returned to a desolate farm which had been neglected whilst he was gone. One crop was lost by absence and another by taking it to market. This kind of business was persevered in astonishingly for several years to the great injury and utter ruin of a great many people.

In later times, after the steamboat had taken the place of other species of navigation, after regular dealers and business men

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had made their appearance on the theatre of trade, and after New Orleans had become a great city and a great mart of foreign commerce, there were still other difficulties to be encountered of a very formidable character. These were the disposition of the people not to sell their produce for the market price and to raise no surplus whatever unless the prices were high. If the trader offered one price the farmer would ask a little more, and more than the trader could afford to give and make a reasonable profit. Let the price be what it might, many would hold up their commodity a whole year, expecting a rise in the market; and if the price was low they would cease producing. If a farmer had a surplus of corn, wheat, hogs, or cattle in the fall season and could not sell them for the full price he demanded he would keep them until next year, expecting to get more for them then. In the meantime he would lose more by the natural loss and waste of his property than he could possibly gain by increased prices the next season. I have known whole stacks of wheat and whole fields of corn to rot or to be dribbled out and wasted to no purpose; and whole droves of hogs to run wild in the woods so as never to be reclaimed, whilst the owner was saving them for a higher price. He suffered, also, by lay-

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ing out of the present use of the money, and by being compelled to purchase many necessary articles on a credit, at a higher price than they could be bought for with cash. By holding back for a higher price he suffered loss by the natural waste of his property, by laying out of the use of his money, by losing the many good bargains he could have made with it in the meantime, and by being compelled to purchase dear on a credit and pay a high interest on the debt if not paid when due. In all these ways he lost more than he would by borrowing money on compound interest. And yet he could never be persuaded that it was for his advantage to sell as soon as his article became marketable, and at the market price.

This practice of holding up property from the market unless the owner can receive more than the market price still prevails extensively in the southern and some of the eastern parts of the State, and fully accounts for much of the difference in the degree of prosperity which is found there and in the middle and northern part of the State.

The New England population make it a rule to sell all their marketable property as soon as it becomes fit for market, and at the market price. By this means the farmer avoids the loss and expense of keeping it on

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hand. He has the present use of its value in money and makes many good bargains and speculations which could not be made without a little ready money. He avoids buying on credit, or rather, paying interest on his debts after they become due. Money is more plenty and the whole people are enabled to be more punctual in the payment of their debts. The local merchant is enabled to do an active business. He is always sure that he can purchase to the extent of his capital and at rates which will put it in his power to sell at a profit. In this manner the farmer prospers, the local merchant prospers, the miller and manufacturer prosper. Towns grow up rapidly. Employment is furnished for mechanics and laborers. By such means our northern people are enabled to build up a country village in three or four years as large as a country seat in the south of twenty years' standing.\*

\* The people in many parts of the State have another practice which they must abandon before money can be plenty among them. They make their contracts to be paid in "trade at trade rates." This practice, by dispensing with the use of money in business, discourages its presence: whereas the opposite course, by creating a necessity for money, is the means of forcing it into the country. And accordingly, in all those countries where debts are punctually paid in cash, bargains all made to be paid in cash, laborers all paid in cash at short inter-



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vals, say at the end of the week, money is always the most plenty; and in those countries where the contrary course is pursued it is the most scarce. It is useless to say that plenty of money enables one country to do a cash business and that scarcity prevents it in the other. Money will go where it is most prized, used, and needed in business, and will refuse to go where its use is dispensed with, or to be used only to be hoarded. If any people want to be prosperous and have plenty of money, let them remember this.<sup>29</sup>

<sup>29</sup> For detailed and valuable accounts of the methods of conducting business in pioneer Illinois and adjacent Iowa see Daniel H. Brush, *Growing Up With Southern Illinois*, the Lakeside Classics for 1944; and J. W. Spencer and J. M. D. Burrows, *The Early Day of Rock Island and Davenport*, the Lakeside Classics volume for 1942.

## Chapter 4

### THE BLACK HAWK WAR, 1831-1832

THE population of the State had increased by the year 1830 to 157,447; it had spread north from Alton as far as Peoria, principally on the rivers and creeks; and in such places there were settlers sparsely scattered along the margin of the Mississippi river to Galena, sometimes at the distance of an hundred miles apart; also on the Illinois to Chicago, with long intervals of wilderness; and a few sparse settlements were scattered about all over the southern part of the military tract.<sup>30</sup> The

<sup>30</sup> The Military Tract was an area of 3,500,000 acres occupying approximately the triangle enclosed between the Illinois and the Mississippi rivers which was set aside by Congress as bounty lands for soldiers of the War of 1812. The bounty rights were largely bought by eastern speculators at a low price, since the individual soldiers were unable or disinclined to settle their respective tracts. Such absentee ownership provoked deep-seated animosity in the minds of the actual settlers of Illinois, and individuals as well as local and state governments cheerfully exerted themselves to despoil the non-resident proprietors. See B. H. Hibbard, *History of the Public Land Policies* (New York, 1924).

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country on the Sangamon river and its tributaries had been settled and also the interior of the south; leaving a large wilderness tract yet to be peopled between Galena and Chicago; the whole extent of the Rock river and Fox river countries, and nearly all the lands in the counties of Hancock, McDonough, Fulton, Peoria, Stark, Warren, Henderson, Knox, Mercer, Henry, Bureau, Livingston, Champaign, Platt, and Iroquois, comprising one-third of the territory of the State. As yet but few settlements had been made anywhere in the open wide prairies, but were confined to the margins of the timber in the vicinity of rivers and streams of water.

A new election for governor was to be held in August, 1830. The candidates for the office were John Reynolds, late a judge of the supreme court, and William Kinney, then lieutenant governor, both of them of the dominant party. All general elections since 1826, had resulted in favor of the friends of Gen. Jackson. The legislature always contained a large majority of Jackson men; but parties were not as yet thoroughly drilled and consolidated. On the one side there was a kind of idolatrous devotion to General Jackson; on the other, a mere personal opposition and dislike, with but little reference on either side to the principles of

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government. When the great popular movement commenced which resulted in the elevation of General Jackson to power many politicians ranged themselves under his banner as that of a popular and fortunate leader, upon whose shoulders they themselves could climb into power and office. Such persons were influenced in but a small degree by the spite and malice of party; so that if they could provide for themselves they were disposed to be kind and tolerant to their opponents. With many such it was the height of ambition to get to the legislature; and when they got there the sleek, smooth, pleasant men of tact and address in the minority seduced them from the majority; and so the legislative acts of public officers were as likely to result in favor of one party as the other. This was a matter of wonder and astonishment to the new immigrants from the older States, who came blazing hot like brands plucked from the burning, heated with the fiery contests in the States from whence they came between the old organized parties of federalists and republicans.

But party lines were so far drawn that no anti-Jackson man could be elected to Congress, to the United States Senate, or to be governor of the State. For this reason the anti-Jackson party proposed no candidate

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for governor at this election; some of them preferred one candidate of the dominant party and some the other; but the great body of the anti-Jackson party supported Governor Reynolds. Mr. Kinney was one of the old sort of Baptist preachers; his morality was not of that pinched up kind which prevented him from using all the common arts of a candidate for office. It was said that he went forth electioneering with a Bible in one pocket and a bottle of whiskey in the other; and thus armed with "the sword of the Lord and the spirit," he could preach to one set of men and drink with another, and thus make himself agreeable to all. In those days the people drank vast quantities of whiskey and other liquors; and the dispensation of liquors, or "treating," as it was called, by candidates for office was an indispensable element of success at elections. In many counties the candidates would hire all the groceries at the county seats and other considerable villages, where the people could get liquor without cost for several weeks before the election. In such places during the pending of elections the voters in all the neighboring country turned out on every Saturday to visit the county seat to see the candidates and hear the news. They came by dozens from all parts and on every road,

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riding on their ponies, which they hitched up or tied to the fences, trees, and bushes in the village. The candidates came also, and addressed the people from wagons, benches, old logs, or stumps newly cut, from whence comes the phrase "stump speeches," used to signify a popular harangue to the people by a candidate for office. The stump speeches being over, then commenced the drinking of liquor, and long before night a large portion of the voters would be drunk and staggering about town, cursing, swearing, hallooing, yelling, huzzaing for their favorite candidates, throwing their arms up and around, threatening to fight, and fighting. About the time of this election I have seen hundreds of such persons in the town of Springfield, now the polished seat of government of the State. Towards evening they would mount their ponies, go reeling from side to side, galloping through town, and throwing up their caps and hats, screeching like so many infernal spirits broke loose from their nether prison, and thus they departed for their homes.

This had been the case for many years in many counties at all the circuit courts, elections, and public gatherings; but thank God, such scenes are no more to be witnessed in Illinois.

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Mr. Kinney had the name of being a whole hog, thorough-going original Jackson man. Politicians in those days of the Jackson party were divided into whole hog men and nominal Jackson men. Mr. Kinney belonged to the first division; he possessed a vigorous understanding, an original genius, and was a warm and true friend and a bitter enemy. He was a witty, merry and jovial man, who studied fun and was highly esteemed by his neighbors and acquaintances. The anti-Jackson men hated him more than they did Reynolds, and hence their preference for the latter. They did not so much vote *for* Reynolds as *against* Kinney. They were like the man who said that he had not voted for any candidate for the last ten years, nevertheless he had always voted at every election; but instead of voting *for* any one person, he had always voted *against* some rascal.

Judge Reynolds was made of more good-natured, easy and pliable materials. He had received a classical education and was a man of good talents in his own peculiar way; but no one would suppose from hearing his conversation and public addresses that he had ever learned more than to read and write and cypher to the rule of three; such acquisitions being supposed to constitute a very learned man in the times of his early

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life. He had been a farmer, a lawyer, and a soldier, a judge, and a member of the legislature. He had passed his life on the frontiers among a frontier people; he had learned all the bye-words, catch-words, old sayings and figures of speech invented by vulgar ingenuity and common among a backwoods people; to these he had added a copious supply of his own, and had diligently compounded them all into a language peculiar to himself, which he used on all occasions, both public and private. He was a man of remarkably good sense and shrewdness for the sphere in which he chose to move, and possessed a fertile imagination, a ready eloquence, and a continual mirthfulness and pleasantry when mingling with the people. He had a kind heart, and was always ready to do a favor and never harbored resentment against any human being. Such a man was certain to be successful against the Baptist preacher, and sure enough he was elected by a most triumphant majority.

A new legislature was elected at the same time; it contained a majority of Jackson men; a majority of whom again had been opposed to Reynolds' election; but the union of Reynolds' Jackson friends with the anti-Jackson members constituted a small majority of the legislature. It is not remem-



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bered that the new governor put forth or advocated any measure of public policy as a measure of his administration. But during this first session the legislature had to make provision for the redemption of the notes of the old State Bank, which became due in the course of the next summer. No former legislature had dared to risk their popularity by providing for the redemption of these notes, by taxation or otherwise.

The subject had been put off from time to time, each legislature willing to shift the odious task upon their successors in office, until further delay would amount to a breach of the public faith. Something must now be done, and that immediately. The popularity-loving members of this legislature came up to the work with fear and trembling. They feared to be denounced as a band of perjured and faithless men if they neglected their duty, and they dreaded to meet the deep roar of indignant disapprobation from their angry constituents by performing it. But a majority in each house acted like men. They passed a law authorizing the celebrated Wiggins' loan of one hundred thousand dollars. The money was obtained and the notes of the bank were redeemed, the honor of the State was saved, but the legislature was damned for all time to come. The members

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who voted for the law were struck with consternation and fear at the first sign of the public indignation. Instead of boldly defending their act and denouncing the unprincipled demagogues who were inflaming the minds of the people, these members, when they returned to their constituents, went meanly sneaking about like guilty things, making the most humble excuses and apologies. A bolder course by enlightening the public mind might have preserved the standing of the legislature and wrought a wholesome revolution in public opinion, then much needed.

But as it was, the destruction of great men was noticeable for a great number of years. The Wiggins' loan was long a by-word in the mouths of the people. Many affected to believe that Wiggins had purchased the whole State, that the inhabitants for generations to come had been made over to him like cattle; and but few found favor in their sight who had anything to do with the loan. There has never been anything like this destruction of great men in Illinois except on a subsequent occasion when the legislature passed a law for the improvement of the breed of cattle by which small bulls were prohibited under *severe* penalties from running at large. On this last occasion no one

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dreamed that a hurricane of popular indignation was about to be raised, but so it was: the people took sides with the little bulls. The law was denounced as being aristocratic and intended to favor the rich, who, by their money, had become possessed of large bulls, and were to make a profit by the destruction of the small ones; and besides this there was a generous feeling in the hearts of the people in favor of an equality of privileges even among bulls. These two laws overthrew many a politician, never to recover again or be seen in the public councils. The "Wiggins' loan" and "the little bull law" will be long remembered by numerous aspirants for office who were sunk by them so low in the public favor that the "hand of resurrection has never reached them."

At this session of 1830-'1, the criminal code was first adapted to penitentiary punishment, and ever after the old system of whipping and pillory for the punishment of crimes has been disused. In the course of fifteen years' experience under the new system I am compelled to say that crime has increased out of all proportion to the increase of inhabitants.

At this session there was a curious contest in the election of a State Treasurer. Judge Hall was the candidate of the Kinney men;

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John Dement was the candidate of Governor Reynolds. Hall was a violent anti-Jackson man, but had been editor of a newspaper in favor of Kinney. Dement was an original Jackson man, but had warmly supported Governor Reynolds. The Kinney men were the ultraists, the proscriptionists, and the whole-hog-men of the party, but yet they fought manfully for Hall, whilst the anti-Jackson members fought as manfully for Dement. On this question the two parties exchanged positions and candidates.

Not long after the adjournment of this session news came of disturbances by the Indians in the Rock river country. It appears that a treaty had been made by Gen. Harrison at St. Louis in November, 1804 with the chiefs of the Sac and Fox nations of Indians by which those Indians had ceded to the United States all their land on Rock river, and much more elsewhere. This treaty was confirmed by a part of the tribe in a treaty with Gov. Edwards and Auguste Chouteau in September, 1815 and by another part in a treaty with the same commissioners in May, 1816. The United States had caused some of these lands situate at the mouth of Rock river to be surveyed and sold. These lands included the great town of the nation near the mouth of the river.

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The purchasers from the government moved on to their lands, built houses, made fences and fields, and thus took possession of the ancient metropolis of the Indian nation. This metropolis consisted of about two or three hundred lodges made of small poles set upright in the ground upon which other poles were tied transversely with bark at the top so as to hold a covering of bark peeled from the neighboring trees, and secured with other strips of bark with which they were sewed to the transverse poles. The sides of the lodges were secured in the same manner. The principal part of these Indians had long since moved from their town to the west of the Mississippi.

But there was one old chief of the Sacs, called Mucata Muhicatah, or Black Hawk, who always denied the validity of these treaties.<sup>31</sup> Black Hawk was now an old man.

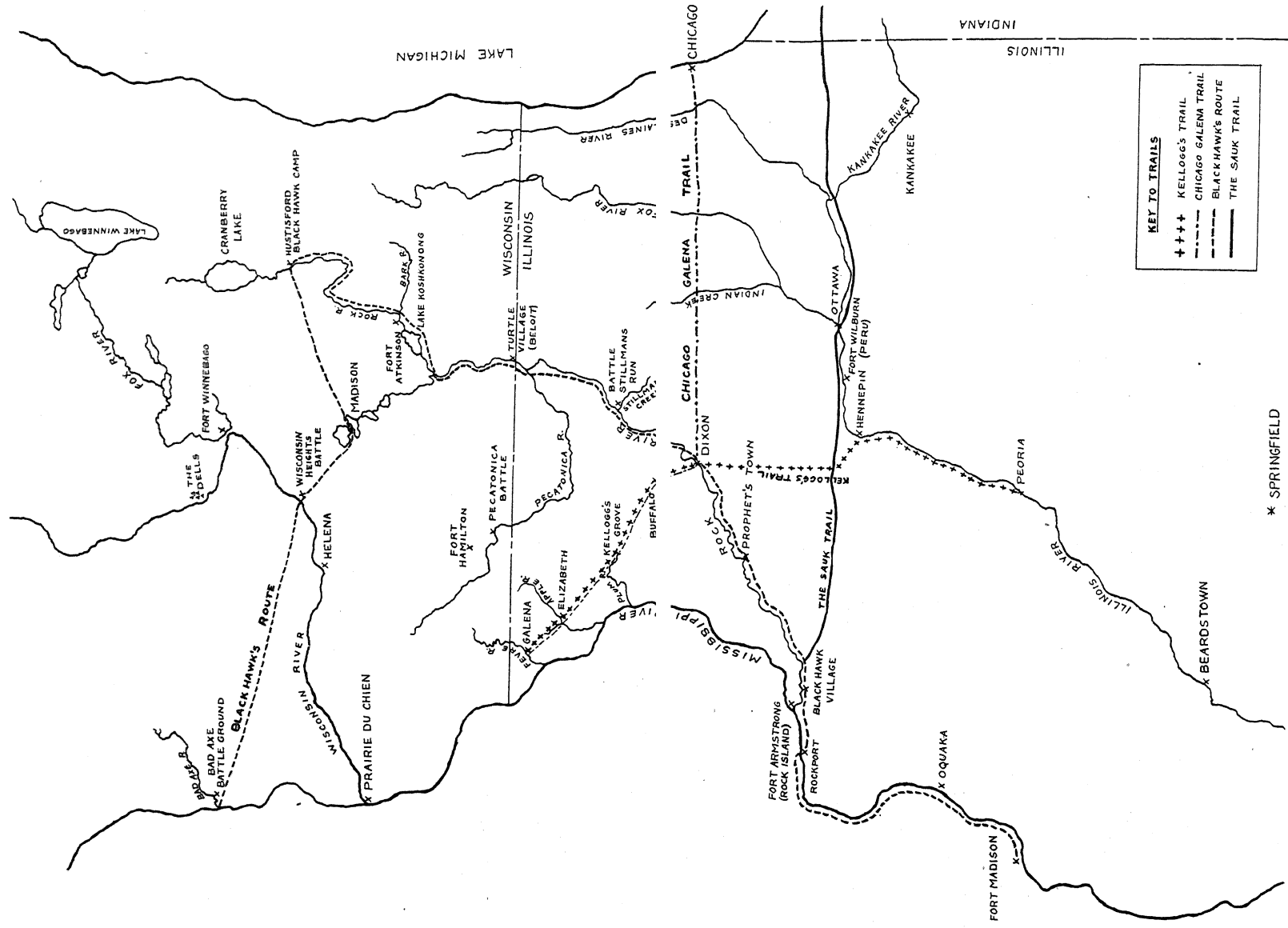
<sup>31</sup> Concerning Governor Ford's narrative of the Black Hawk War which begins at this point several observations are in order. He was not himself a participant (save in the preliminary affair of 1831) and his information was necessarily chiefly drawn from his Illinois acquaintances who were survivors of the struggle. Aside from these, he seems to have made much use of Wakefield's *History of the Black Hawk War*, almost the earliest published account, also written by an Illinois participant. An amazing number of petty jealousies seethed in the breasts of the Illinois militia, concerning

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He had been a warrior from his youth. He had led many a war party on the trail of an enemy, and had never been defeated. He had been in the service of England in the war of 1812, and had been aid-de-camp to

whose conduct a modern Illinois historian observes; "Their forces were shot through and through with ambitious politicians who clamored for office, and, having gained places of prominence, failed to exercise authority for fear of losing the next battle at the polls." (John H. Hauberg, in *Ill. Hist. Soc. Transactions* for 1932, p. 122). Many of these narratives were published in the earlier volumes of the *Wisconsin Hist. Colls.*, some of them especially to refute Governor Ford's recital. In particular, the Wisconsin writers were loyal to the memory of Governor Dodge and resentful of Ford's performance in playing up the role in the war of Major James D. Henry at the expense of Dodge. One of the latter's champions, Charles Bracken, observes that Ford possessed great bitterness of feeling towards those he disliked and was no less warmly devoted to his friends (*Wis. Hist. Colls.*, II, 404), and adds that he did not serve in the war and that he had "been made the instrument of some small men in Illinois, who are their own trumpeters, to laud their feat of arms and to detract from others." The reader who desires a more temperate narrative of the war is referred to R. G. Thwaites, "Story of the Black Hawk War" in *Wis. Hist. Colls.*, XI; Frank E. Stevens, *The Black Hawk War* (Chicago, 1903); or to briefer accounts by T. C. Pease, *The Frontier State*, chap. VIII; M. M. Quaife, *Wisconsin, Its History and Its People* (Chicago, 1924), I, chap. XIX; and John H. Hauberg, "The Black Hawk War, 1831-1832" in *Ill. State Hist. Soc. Transactions* for 1932, pp. 91-134.





**KEY TO TRAILS**

- ++++ KELLOGG'S TRAIL
- CHICAGO-GALENA TRAIL
- BLACK HAWK'S ROUTE
- \_\_\_\_\_ THE SAUK TRAIL

\* SPRINGFIELD

THE SEAT OF THE BLACK HAWK WAR  
Map drawn by John E. Poole



## The Black Hawk War

the great Tecumseh. He was distinguished for courage and for clemency to the vanquished. He was an Indian patriot, a kind husband and father, and was noted for his integrity in all his dealings with his tribe and with the Indian traders. He was firmly attached to the British and cordially hated the Americans. At the close of the war of 1812 he had never joined in making peace with the United States,<sup>32</sup> but he and his band still kept up their connection with Canada and were ever ready for a war with our people. He was in his personal deportment grave and melancholy, with a disposition to cherish and brood over the wrongs he supposed he had received from the Americans. He was thirsting for revenge upon his enemies and at the same time his piety constrained him to devote a day in the year to visit the grave

<sup>32</sup> This is an error; in 1816, under threat of chastisement Black Hawk's band signed a treaty confirming in general terms the St. Louis treaty of 1804. In 1822 and again in 1825 this confirmation was repeated. Black Hawk, however, claimed not to have understood the significance of the treaty of 1816 and when it was subsequently explained to him he refused his further confirmation. "What do we know of the manners and customs of the white people?" he later exclaimed. "They might buy our bodies for dissection and we would touch the goose quill to confirm it, without knowing what we are doing. This was the case with myself and people in touching the goose quill the first time."

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of a favorite daughter buried on the Mississippi river, not far from Oquaka. Here he came on his yearly visit and spent a day by the grave, lamenting and bewailing the death of one who had been the pride of his family and of his Indian home. With these feelings was mingled the certain and melancholy prospect of the extinction of his tribe and the transfer of his country, with its many silvery rivers, rolling and green prairies, and dark forests, the haunts of his youth, to the possession of a hated enemy; whilst he and his people were to be driven as he supposed into a strange country, far from the graves of his fathers and his children.

Black Hawk's own account of the treaty of 1804 is as follows. He says that some Indians of the tribe were arrested and imprisoned in St. Louis for murder, that some of the chiefs were sent down to provide for their defence; that whilst there, and without the consent of the nation, they were induced to sell the Indian country; that when they came home it appeared that they had been drunk most of the time they were absent, and could give no account of what they had done except that they had sold some land to the white people and had come home loaded with presents and Indian fin-

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ery. This was all that the nation ever heard or knew about the treaty of 1804.\*

\* It may be well here to mention, that some historians of the Black Hawk war have taken much of the matter of their histories from a life of Black Hawk written at Rock Island in 1833 or 1834, purporting to have been his own statements written down on the spot. This work has misled many. Black Hawk knew but little, if anything, about it. In point of fact it was got up from the statements of Mr. Antoine Le Clere and Col. Davenport and was written by a printer, and was never intended for anything but a catch-penny publication. Mr. Le Clere was a half-breed Indian interpreter, and Col. Davenport an old Indian trader, whose sympathies were strongly enlisted in favor of the Indians and whose interest it was to retain the Indians in the country for the purposes of trade. Hence the gross perversion of facts in that book, attributing this war to the border white people, when in point of fact these border white people had bought and paid for the land on which they lived from the government, which had a title to it by three different treaties. They were quietly and peaceably living upon their lands when the Indians under Black Hawk attempted to dispossess them. As yet I have seen no excuse for Black Hawk's second invasion of the State in breach of his own treaty with Gen. Gaines in 1831; but the sympathizers with the Indians skip over and take no notice of that treaty, so determined have they been to please their own countrymen at all hazards.<sup>33</sup>

<sup>33</sup> Contrary to Governor Ford's presentation, most modern American historians seem to find considerable extenuation for Black Hawk's course. See for example T. C. Pease, *The Frontier State*, 1818-48, Chap. VIII; R. G. Thwaites, "Story of the Black Hawk War" in

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Under the pretence that this treaty was void he resisted the order of the government for the removal of his tribe west of the Mississippi. In the spring of 1831 he recrossed the river with his women and children and three hundred warriors of the British band, together with some allies from the Pottawatomie and Kickapoo nations, to establish himself upon his ancient hunting-grounds and in the principal village of his nation. He ordered the white settlers away, threw down their fences, unroofed their houses, cut up their grain, drove off and killed their cattle, and threatened the people with death if they remained. The settlers made their complaints to Governor Reynolds. These acts of the Indians were considered by the governor to be an invasion of the State. He immediately addressed letters to Gen. Gaines of the United States army and to Gen. Clark

*Wis. Hist. Colls.*, Vol. XII; John H. Hauberg, "The Black Hawk War, 1831-1832" in *Ill. State Hist. Soc. Transactions* for 1932. Black Hawk's own story, here deprecated by our author, was reprinted as the Lakeside Classics volume for 1916. J. B. Patterson, Black Hawk's editor and publisher, subsequently vigorously rebutted Governor Ford's statements concerning it. See *Wisconsin Hist. Colls.*, V. 300-304. For material related from the contemporary white man's viewpoint see *The Early Day of Rock Island and Davenport*, the Lakeside Classics volume for 1942.

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the superintendent of Indian affairs, calling upon them to use the influence of the government to procure the peaceful removal of the Indians, if possible; at all events to defend and protect the American citizens who had purchased those lands from the United States and were now about to be ejected by the Indians. Gen. Gaines repaired to Rock Island with a few companies of regular soldiers and soon ascertained that the Indians were bent upon war. He immediately called upon Governor Reynolds for seven hundred mounted volunteers. The governor obeyed the requisition. A call was made upon some of the northern and central counties, in obedience to which fifteen hundred volunteers rushed to his standard at Beardstown, and about the 10th of June were organized and ready to be marched to the seat of war. The whole force was divided into two regiments, an odd battalion and a spy battalion. The 1st regiment was commanded by Col. James D. Henry, the 2d by Col. Daniel Lieb, the odd battalion by Major Nathaniel Buckmaster, and the spy battalion by Major Samuel Whiteside. The whole brigade was put under the command of Major General Joseph Duncan of the State Militia. This was the largest military force of Illinoisans which had ever been assembled in the State,

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and made an imposing appearance as it traversed the then unbroken wilderness of prairie.

The army proceeded in four days to the Mississippi at a place now called Rockport, about eight miles below the mouth of Rock river, where it met Gen. Gaines in a steamboat, with a supply of provisions. Here it encamped for one night, and here the two generals concerted a plan of operations. Gen. Gaines had been in the vicinity of the Indian town for about a month, during which time it might be supposed that he had made himself thoroughly acquainted with the localities and topography of the country. The next morning the volunteers marched forward with an old regular soldier for a guide. The steamboat with Gen. Gaines ascended the river. A battle was expected to be fought that day on Vandruff's Island, opposite the Indian town. The plan was for the volunteers to cross the slough on to this island, give battle to the enemy if found there, and then to ford the main river into the town, where they were to be met by the regular force coming down from the fort. The island was covered with bushes and vines so as to be impenetrable to the sight at the distance of twenty feet. General Gaines ran his steamboat up to the point of

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the island and fired several rounds of grape and canister shot into it to test the presence of an enemy. The spy battalion formed in line of battle and swept the island; but it was soon ascertained that the ground rose so high within a short distance of the bank that General Gaines's shot could not have taken effect one hundred yards from the shore. The main body of the volunteers in three columns came following the spies; but before they had got to the northern side of the island they were so jammed up and mixed together, officers and men, that no man knew his own company or regiment or scarcely himself. Gen. Gaines had ordered the artillery of the regular army to be stationed on a high bluff which looked down upon the contemplated battlefield a half mile distant, from whence, in case of battle with the Indians in the tangled thickets of the island their shot were likely to kill more of their friends than their enemies. It would have been impossible for the artillerists to distinguish one from the other. And when the army arrived at the main river they found it a bold, deep stream, not fordable for a half mile or more above by horses, and no means of transportation was then ready to ferry them over. Here they were in sight of the Indian town, with a narrow but deep

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river running between, and here the principal part of them remained until scows could be brought to ferry them across it.

When the volunteers reached the town they found no enemy there. The Indians had quietly departed the same morning in their canoes for the western side of the Mississippi. Whilst in camp twelve miles below the evening before, a canoe load of Indians came down with a white flag to tell the General that they were peaceable Indians, that they expected a great battle to come off next day, that they desired to remain neutral and wanted to retire with their families to some place of safety, and they asked to know where that was to be. General Gaines answered them very abruptly, and told them to be off and go to the other side of the Mississippi. That night they returned to their town and the next morning early the whole band of hostile Indians re-crossed the river and thus entitled themselves to protection.

It has been stated to me by Judge William Thomas of Jacksonville, who acted as quartermaster of the brigade of volunteers, that Gaines and Duncan had reason to believe before the commencement of the march from the camp on the Mississippi that the Indians had departed from their village, that measures had been taken to ascertain the



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fact before the volunteers crossed to Vandruff's Island, that Gen. Duncan in company with the advanced guard following the spies preceded the main army in crossing, and that this will account for the want of order and confusion in the march of the troops.

I was myself in company with the spies, I arrived at the river a mile in advance of the army, I saw Gen. Gaines ascend with his boat to the point of the island, was within one hundred yards of him when he fired into the island to test the presence of the Indians; I marched ahead with the spies across the island, saw with my own eyes the elevation of the land near the shore, which would have prevented cannon-shot taking effect more than one hundred yards. I also know the condition of the island as to bushes and vines, and saw the artillery force from the fort stationed on the high bluff on the opposite side of the river. I was on the bank of the main river when Gen. Duncan came up, followed soon after by his brigade in the utmost confusion, and heard him reprimand John S. Miller, a substantial and worthy citizen of Rock Island, for not letting him know that the main river was on the north side of the island; and I heard Miller curse him to his face at the head of his troops for refusing his services as guide when offered

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the evening before; and then censuring him for not giving information which he had refused to receive. I give the facts as I personally know them to be true, and leave it to others to judge whether the two Generals knew of the departure of the Indians; had taken proper measures to ascertain the presence of an enemy, or had made the best disposition for a battle if the Indians had been found either at their village or on the island. Much credit is undoubtedly due to Gov. Reynolds and Gen. Duncan for the unprecedented quickness with which the brigade was called out and organized and marched to the seat of war, and neither of them are justly responsible for what was arranged for them by Gen. Gaines.

The enemy having escaped, the volunteers were determined to be avenged upon something. The rain descended in torrents and the Indian wigwams would have furnished a comfortable shelter; but notwithstanding the rain the whole town was soon wrapped in flames, and thus perished an ancient village which had once been the delightful home of six or seven thousand Indians; where generation after generation had been born, had died and been buried; where the old men had taught wisdom to the young; whence the Indian youth had often gone out in parties

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to hunt or to war, and returned in triumph to dance around the spoils of the forest or the scalps of their enemies; and where the dark-eyed Indian maidens by their presence and charms had made it a scene of delightful enchantment to many an admiring warrior.

The volunteers marched to Rock Island next morning and here they encamped for several days, precisely where the town of Rock Island is now situated. It was then in a complete state of nature, a romantic wilderness. Fort Armstrong was built upon a rocky cliff on the lower point of an island near the centre of the river, a little way above; the shores on each side formed of gentle slopes of prairie extending back to bluffs of considerable height, made it one of the most picturesque scenes in the western country. The river here is a beautiful sheet of clear, swift-running water, about three quarters of a mile wide, its banks on both sides were uninhabited except by Indians from the lower rapids to the fort, and the voyager up-stream after several days' solitary progress through a wilderness country on its borders came suddenly in sight of the white-washed walls and towers of the fort, perched upon a rock surrounded by the grandeur and beauty of nature, which at a distance gave it the appearance of one of

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those enchanted castles in an uninhabited desert, so well described in the Arabian-Nights Entertainments.<sup>34</sup>

General Gaines threatened to pursue the Indians across the river, which brought Black Hawk and the chiefs and braves of the hostile band to the fort to sue for peace. A treaty was here formed with them by which they agreed to remain forever after on the west side of the river, and never to recross it without the permission of the president or the governor of the State. And thus these Indians at last ratified the treaty of 1804, by which their lands were sold to the white people, and they agreed to live in peace with the government.

But notwithstanding this treaty, early in the spring of 1832 Black Hawk and the dis-

<sup>34</sup> Fort Armstrong, located at the foot of Rock Island, was established in 1816 as one of a chain of frontier forts which included Fort Dearborn at Chicago, Fort Howard at Green Bay, and Fort Crawford at Prairie du Chien. The Sauk and Fox Indians had been strenuously hostile to the Americans in the War of 1812 and Fort Armstrong, located less than half a dozen miles from their principal village on Rock River, was intended particularly to hold them in check. The Fort was 300 feet square, built of stone and timber. Today a great arsenal occupies the site of Rock Island, connected by a fine bridge with the cities of Rock Island and Davenport, located on opposite banks of the Mississippi.

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affected Indians prepared to reassert their right to the disputed territory.

The united Sac and Fox nations were divided into two parties. Black Hawk commanded the warlike band and Keokuk, another chief, headed the band which was in favor of peace. Keokuk was a bold, sagacious leader of his people, was gifted with a wild and stirring eloquence rare to be found even among Indians, by means of which he retained the greater part of his nation in amity with the white people. But nearly all the bold, turbulent spirits, who delighted in mischief, arranged themselves under the banners of his rival. Black Hawk had with him the chivalry of his nation, with which he recrossed the Mississippi in the spring of 1832. He directed his march to the Rock river country and this time aimed, by marching up the river into the countries of the Pottawattomies and Winnebagoes, to make them his allies. Governor Reynolds upon being informed of the facts made another call for volunteers. In a few days eighteen hundred men rallied under his banner at Beardstown. This force was organized into four regiments and a spy battalion. Col. DeWitt commanded the 1st regiment, Col. Fry the 2d, Col. Thomas the 3d, Col. Thompson the 4th, and Col. James D. Henry com-

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manded the spy battalion. The whole brigade was put under the command of Brigadier Gen. Samuel Whiteside of the State militia, who had commanded the spy battalion in the first campaign.

On the 27th of April Gen. Whiteside, accompanied by Gov. Reynolds, took up his line of march. The army proceeded by way of Oquaka on the Mississippi to the mouth of Rock river, and here it was agreed between Gen. Whiteside and Gen. Atkinson of the regulars that the volunteers should march up Rock river about fifty miles to the Prophet's town and there encamp to feed and rest their horses and await the arrival of the regular troops in keel boats with provisions. Judge William Thomas, who again acted as quartermaster to the volunteers, made an estimate of the amount of provisions required until the boats could arrive, which was supplied, and then Gen. Whiteside took up his line of march. But when he arrived at the Prophet's town instead of remaining there his men set fire to the village, which was entirely consumed, and the brigade marched on in the direction of Dixon, forty miles higher up the river. When the volunteers had arrived within a short distance of Dixon orders were given to leave the baggage wagons behind so as to reach

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there by a forced march. And for the relief of the horses, the men left large quantities of provisions behind with the wagons. At Dixon Gen. Whiteside came to a halt to await a junction with Gen. Atkinson, with provisions and the regular forces; and from here parties were sent out to reconnoitre the enemy and ascertain his position. The army here found upon its arrival two battalions of mounted volunteers, consisting of 275 men, from the counties of McLean, Tazewell, Peoria, and Fulton under the command of Majors Stillman and Bailey. The officers of this force begged to be put forward upon some dangerous service in which they could distinguish themselves. To gratify them they were ordered up Rock river to spy out the Indians. Major Stillman began his march on the 12th of May, and pursuing his way on the south-east side he came to "Old Man's" creek, since called "Stillman's Run," a small stream which rises in White Rock Grove in Ogle county and falls into the river near Bloomington. Here he encamped just before night; and in a short time a party of Indians on horseback were discovered on a rising ground about one mile distant from the encampment. A party of Stillman's men mounted their horses without orders or commander and were soon followed by others,

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stringing along for a quarter of a mile, to pursue the Indians and attack them. The Indians retreated after displaying a red flag, the emblem of defiance and war, but were overtaken and three of them slain. Here Major Samuel Hackelton, being dismounted in the engagement, distinguished himself by a combat with one of the Indians in which the Indian was killed, and Major Hackelton afterwards made his way on foot to the camp of Gen. Whiteside. Black Hawk was near by with his main force, and being prompt to repel an assault soon rallied his men, amounting then to about seven hundred warriors, and moved down upon Major Stillman's camp, driving the disorderly rabble, the recent pursuers, before him. These valorous gentlemen, lately so hot in pursuit when the enemy were few, were no less hasty in their retreat when coming in contact with superior numbers. They came with their horses in a full run, and in this manner broke through the camp of Major Stillman, spreading dismay and terror among the rest of his men who immediately began to join in the flight, so that no effort to rally them could possibly have succeeded. Major Stillman, now too late to remedy the evils of insubordination and disorder in his command, did all that was practicable by ordering his men to fall back in order and form on higher



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ground; but as the prairie rose behind them for more than a mile, the ground for a rally was never discovered; and besides this, when the men once got their backs to the enemy they commenced a retreat, without one thought of making a further stand. A retreat of undisciplined militia from the attack of a superior force is apt to be a disorderly and inglorious flight; and so it was here, each man sought his own individual safety and in the twinkling of an eye the whole detachment was in utter confusion. They were pursued in their flight by thirty or forty Indians for ten or twelve miles, the fugitives in the rear keeping up a flying fire as they ran, until the Indians ceased pursuing.

But there were some good soldiers and brave men in Stillman's detachment whose individual efforts succeeded in checking the career of the Indians, whereby many escaped that night who would otherwise have been the easy victims of the enemy. Amongst these were Major Perkins and Captain Adams, who fell in the rear, bravely fighting to cover the retreat of their fugitive friends. But Major Stillman and his men pursued their flight without looking to the right or the left until they were safely landed at Dixon. The party came straggling into camp all night long, four or five at a time, each fresh arrival confident that all who had

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been left behind had been massacred by the Indians. The enemy was stated to be just behind in full pursuit, and their arrival was looked for every moment. Eleven of Stillman's men were killed, and it is only astonishing that the number was so few.

It is said that a big, tall Kentuckian with a very loud voice, who was a colonel of the militia but a private with Stillman, upon his arrival in camp gave to Gen. Whiteside and the wondering multitude the following glowing and bombastic account of the battle: "Sirs," said he, "our detachment was encamped amongst some scattering timber on the north side of Old Man's creek, with the prairie from the north gently sloping down to our encampment. It was just after twilight, in the gloaming of the evening, when we discovered Black Hawk's army coming down upon us in solid column; they deployed in the form of a crescent upon the brow of the prairie and such accuracy and precision of military movements were never witnessed by man; they were equal to the best troops of Wellington in Spain. I have said that the Indians came down in solid column and deployed in the form of a crescent; and what was most wonderful, there were large squares of cavalry resting upon the points of the curve, which squares were supported again by other columns fifteen deep,

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extending back through the woods and over a swamp three-quarters of a mile, which again rested upon the main body of Black Hawk's army bivouaced upon the banks of the Kishwaukee. It was a terrible and a glorious sight to see the tawny warriors as they rode along our flanks attempting to outflank us with the glittering moonbeams glistening from their polished blades and burnished spears. It was a sight well calculated to strike consternation into the stoutest and boldest heart, and accordingly our men soon began to break in small squads for tall timber. In a very little time the rout became general, the Indians were upon our flanks and threatened the destruction of the entire detachment. About this time Major Stillman, Col. Stephenson, Major Perkins, Capt. Adams, Mr. Hackelton, and myself with some others threw ourselves into the rear to rally the fugitives and protect the retreat. But in a short time all my companions fell, bravely fighting hand to hand with the savage enemy, and I alone was left upon the field of battle. About this time I discovered not far to the left a corps of horsemen which seemed to be in tolerable order. I immediately deployed to the left, when leaning down and placing my body in a recumbent posture upon the mane of my horse, so as to bring the heads of the horsemen between

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my eye and the horizon, I discovered by the light of the moon that they were gentlemen who did not wear hats, by which token I knew they were no friends of mine. I therefore made a retrograde movement and recovered my former position, where I remained some time meditating what further I could do in the service of my country, when a random-ball came whistling by my ear and plainly whispered to me, 'stranger, you have no further business here.' Upon hearing this I followed the example of my companions in arms and broke for tall timber, and the way I run was not a little, and quit."

This colonel was a lawyer, just returning from the circuit with a slight wardrobe and Chitty's Pleadings packed in his saddle-bags, all of which were captured by the Indians. He afterwards related with much vexation that Black Hawk had decked himself out in his finery, appearing in the wild woods amongst his savage companions dressed in one of the colonel's ruffled shirts drawn over his deer-skin leggings, with a volume of Chitty's Pleadings under each arm.<sup>35</sup>

<sup>35</sup> Frank E. Stevens, author of *The Black Hawk War* (Chicago, 1903) and editor of *Wakefield's History of the Black Hawk War* (Caxton Club ed., Chicago, 1908) identifies this man as Colonel James M. Strode of Galena. See *Wakefield's History* . . . , p. 204, n. 30.

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Major Stillman and his men were for a long time afterwards the subject of thoughtless merriment and ridicule, which were as undeserved as their battle, if so it may be called, had been unfortunate. The party was raw militia; it had been but a few days in the field; the men were wholly without discipline and as yet without confidence in each other or in their officers.

This confidence they had not been long enough together to acquire. Any other body of men under the same circumstances would have acted no better. They were as good material for an army, if properly drilled and disciplined, as could be found elsewhere.<sup>36</sup>

<sup>36</sup> Governor Ford presents as good an exculpation of the disgraceful affair of Stillman's defeat as possible, but it is not free from contemporary bias. Instead of 700 warriors, Black Hawk had but forty. He was not expecting a battle, and had sent his emissaries into Stillman's camp under a flag of truce to beg for peace. If they had been received with reasonable common sense and decency the war would have ended at this point, instead of being prolonged to its miserable conclusion at Bad Axe, with all of the intervening slaughter and horror. For Black Hawk's narrative of the battle see his *Life* (The Lakeside Classics Series, Chicago, 1916) pp. 139-44. R. G. Thwaites, "Story of the Black Hawk War," in *Wis. Hist. Colls.*, XII, 235-40; Frank E. Stevens, *The Black Hawk War*, 131-38; and John H. Hauberg, "The Black Hawk War, 1831-1832," pp. 117-118 supply accounts of the battle by modern historians.

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In the night after their arrival at Dixon the trumpet sounded a signal for the officers to assemble at the tent of Gen. Whiteside. A council of war was held in which it was agreed to march early the next morning to the fatal field of that evening's disaster. In consequence of the ill-advised and misjudged march from the Prophet's town, the wastefulness of the volunteers, and leaving the baggage wagons behind to make a forced march without motive or necessity, there were no provisions in the camp except in the messes of the most careful and experienced men. The majority had been living upon parched corn and coffee for two or three days. But Quartermaster Thomas, anticipating the result of the council, went out in search of cattle and hogs, which were obtained of Mr. John Dixon, then the only white inhabitant on Rock river above its mouth.<sup>37</sup> By this means, before daylight the next morning the army was supplied with some fresh beef, which they ate without bread, and now they began their march

<sup>37</sup> John Dixon had acquired the ferry at present Dixon from Joseph Ogee, a half-breed, in the spring of 1830. In 1832 he had here a 90-foot log house for his family and the entertainment of travelers. He "won the love of every person, white or red" who ever met him, and by the whites was known as "Father" Dixon. His place was the only civilized establishment on Rock

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for the scene of the disaster of the night before. When the volunteers arrived there the Indians were gone. They had scattered out all over the country, some of them farther up Rock river and others towards the nearest settlements of white people.

A party of about seventy Indians made a descent upon the small settlement of Indian creek, a tributary of Fox river, and there within fifteen miles of Ottawa they massacred fifteen persons, men, women, and children, of the families of Messrs. Hall, Davis, and Pettigrew and took two young women prisoners. These were Sylvia and Rachel Hall, the one about seventeen and the other about fifteen years old.

This party of Indians immediately retreated into the Winnebago country, up Rock river, carrying the scalps of the slain and their prisoners with them. Indian wars are the wars of a past age. They have always been characterized by the same ferocity and cruelty on the part of the Indians. To describe this massacre is only to repeat

River above its mouth, and this fact, plus the ferry, made it an important center of operations during the war. Mrs. John H. Kinzie and her husband were entertained over night by Dixon in the spring of 1831, and she has left an interesting picture of the family and of Ogee, Dixon's predecessor, in *Wau-Bun*, the Lakeside Classics volume for 1932, pp. 176-81.

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what has been written a hundred times; but the history of this war would be imperfect without some account of it. The Indians approached the house in which the three families were assembled in the day time. They entered it suddenly, with but little notice. Some of the inmates were immediately shot down with rifles, others were pierced through with spears or despatched with the tomahawk. The Indians afterwards related with an infernal glee how the women had squeaked like geese when they were run through the body with spears, or felt the sharp tomahawk entering their heads. All the victims were carefully scalped; their bodies were mutilated and mangled; the little children were chopped to pieces with axes; and the women were tied up by the heels to the walls of the house; their clothes falling over their heads, left their naked persons exposed to the public gaze.

The young women prisoners were hurried by forced marches beyond the reach of pursuit. After a long and fatiguing journey with their Indian conductors through a wilderness country, with but little to eat and being subjected to a variety of fortune, they were at last purchased by the chiefs of the Winnebagoes, employed by Mr. Gratiot for the purpose, with two thousand dollars in



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horses, wampum, and trinkets, and were safely returned to their friends.<sup>38</sup>

Gen. Whiteside, finding no Indians in the vicinity of the recent battle-field and being destitute of provisions, contented himself with burying the dead. He gathered up their mutilated bodies as well as he could and buried them in a common grave on a ridge of land on the old trace south of "Stillman's run," and put up a rude board, hewn from a tree, as a memorial of the slain. He then returned to Dixon, where on the next day Gen. Atkinson arrived with provisions and the regular forces. The army now amounted to twenty-four hundred, and had the men been willing to serve longer the war could have been ended in less than a month by the capture or destruction of all Black Hawk's forces. But the volunteers were anxious to be discharged. Their term of service had nearly expired. Many of them had left their business in such a condition as to require

<sup>38</sup> Frank E. Stevens, *The Black Hawk War*, 147-57 supplies a full account of the Indian Creek Massacre, with narratives of Sylvia and Rachel Hall and their brother John, as recorded from memory in 1867. A much earlier recital of the experience of the two sisters, attributed to Sylvia Hall, is printed in *Wakefield's History of the Black Hawk War*, 88-92. The contemporary official report of the ransoming of the two girls is printed in *Miss. Valley Hist. Rev.*, XII, 401-403.

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their presence at home; and besides this there was much dissatisfaction with the commanding general. To require further service from unwilling men was worse than useless, for a militia force will never do any good unless their hearts prompt them to a cheerful alacrity in performing their duty. The militia can never be forced to fight against their will. Their hearts as well as their bodies must be in the service; and to do any good they must feel the utmost confidence in their officers. They were first marched back to the battle-field in pursuit of the Indians and then by Pawpaw Grove and Indian creek to Ottawa, where the whole at their urgent request were discharged by Governor Reynolds on the 27th and 28th of May.

The governor had previously issued orders for raising two thousand additional volunteers to rendezvous at Beardstown and Hennepin. In the meantime he called for a volunteer regiment from amongst those recently discharged to remain in defence of the country until the new forces could be assembled. Such a regiment was readily raised, of which Jacob Fry was elected colonel, James D. Henry lieutenant-colonel, and John Thomas major. Whiteside, the late commanding general, volunteered as a pri-

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vate. The different companies of this regiment were so disposed of as to guard all the frontiers. Captain Adam W. Snyder was sent to range through the country between Rock river and Galena; and whilst he was encamped not far distant from Burr Oak Grove on the night of the 17th of June his company was fired upon by the Indians; the next morning he pursued them, four in number, and drove them into a sink-hole in the ground, where his company charged on them and killed the whole of the Indians, with the loss of one man mortally wounded. As he returned to his camp, bearing his wounded soldier, the men suffering much from thirst scattered in search of water, when they were sharply attacked by about seventy Indians who had been secretly watching their motions and awaiting a good opportunity. His men, as usual in such cases, were taken by surprise and some of them commenced a hasty retreat. Captain Snyder called upon Gen. Whiteside, then a private in his company, to assist him in forming his men; the general proclaimed in a loud voice that he would shoot the first man who attempted to run. The men were soon formed into rank. Both parties took position behind trees. Here General Whiteside, an old Indian fighter and a capital marksman with a rifle,

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shot the commander of the Indians, and they from that moment began to retreat.<sup>39</sup> As they were not pursued the Indian loss was never ascertained; but the other side lost two men killed and one wounded. Captain Snyder, General Whiteside, and Colonel (now General) Semple are particularly mentioned as having behaved in the most honorable and courageous manner in both these little actions.

On the 15th of June the new levies had arrived at the places of rendezvous and were formed into three brigades; General Alexander Posey commanded the 1st, General Milton K. Alexander the 2d, and General James D. Henry commanded the 3d. On the march each brigade was preceded by a battalion of spies commanded by a major. The whole volunteer force this time amounted to three thousand two hundred men, besides three companies of rangers un-

<sup>39</sup> It may be doubted whether General Whiteside shot the Indian leader. In describing the action Stevens says; "During the thickest of the fight the apparent leader of the Indians, mounted on a white horse, rode backward and forward, urging his men on with shouts and gestures; but the intrepid volunteers were pouring lead into the ranks of the Indians with such deadly effect that they were gradually forced back. After a little the white horse was seen leaving the field without a rider." *The Black Hawk War*, 179.

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der the command of Major Bogart, left behind to guard the frontier settlements. The object in calling out so large a force was to overawe the Pottawattomie and Winnebago Indians, who were hostile in their feelings to the whites and much disposed to join Black Hawk's party.

But before the new army could be brought into the field the Indians had committed several murders. One man was killed on Bureau creek some seven or eight miles above Princeton; another in Buffalo Grove; another between Fox river and the Illinois; and two more on the east side of Fox river on the Chicago road about six miles north-east of Ottawa. On the 22d of May Gen. Atkinson had despatched Mr. St. Vrain, the Indian agent for the Sacs and Foxes at Rock Island, with a few men as an express to Fort Armstrong. On their way thither they fell in with a party of Indians led by a chief well known to the agent. This chief was called "The little bear," he had been a particular friend of the agent, and had adopted him as a brother. Mr. St. Vrain felt no fear of one who was his friend, one who had been an inmate of his house, and who had adopted him as a brother, and approached the Indians with the greatest confidence and security. But the treacherous Indian, untrue

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in war to the claims of gratitude, friendship, and brotherhood, no sooner got him in his power than he murdered and scalped him and all his party with as little compassion as if he had never known him or professed to be his friend.<sup>40</sup>

Not long after the new forces were organized on the Illinois river, Black Hawk with a hundred and fifty warriors made an attack on Apple River Fort, situate about a quarter of a mile north of the present village of

<sup>40</sup> Three of St. Vrain's party of seven escaped, while four were killed. Ida M. Tarbell attributes to Abraham Lincoln this story which she identifies with the burial of the men killed in Major Dement's battle at Kellogg's Grove on June 25: "I remember just how those men looked as we rode up the little hill where their camp was. The red light of the morning sun was streaming upon them as they lay head towards us on the ground. And every man had a round red spot on the top of his head about as big as a dollar, where the redskins had taken his scalp. It was frightful but it was grotesque; and the red sunlight seemed to paint everything all over. . . . I remember that one man had buckskin breeches on." *Life of Abraham Lincoln* (New York, 1900) I, 87. Repeated in *Lincoln Lore* (Fort Wayne, Indiana), August 9, 1943.

However interesting the story may be, it is undocumented and the time and place of the occurrence related cannot be identified. Lincoln accompanied the army which marched from Dixon to Stillman's battlefield on May 15, burying the victims that evening; but the story as related cannot possibly be harmonized

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Elizabeth within twelve miles of Galena, and defended by twenty-five men under the command of Captain Stone. This fort was a stockade of logs stuck in the ground with block-houses at the corners of the square by way of towers and bastions. It was made for the protection of a scattering village of miners who lived in their houses in the vicinity during the day and retired into the fort for protection at night. The women and children, as usual in the daytime, were abroad in the village when three men on an express

with this incident. On June 8, Lincoln, now a private in Captain Elijah Iles' company of rangers, again left Dixon upon a scout to Galena and back which lasted until June 13. Captain Iles' old-age narrative (published in 1882) affirms that a part of his mission was to bury the victims of the St. Vrain massacre, but he relates in this connection a story which Stevens characterizes as wholly fanciful. The victims were buried on June 8, but again the circumstances do not harmonize with the supposed Lincoln story. Nor could the men buried have been those slain in Major Dement's battle of June 24; Lincoln was not a member of either Dement's detachment or of the force opportunely led to his relief by General Posey. From June 20 to June 27 he was in camp at Dixon, when he marched in pursuit of Black Hawk with the second division of the army led by General Atkinson. See Stevens, *Black Hawk War*, *passim*. We conclude that the alleged quotation is merely one more of the vast number of stories which eager reminiscers have unwarrantedly attributed to Lincoln.

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from Galena to Dixon were fired on by the Indians lurking in ambush within a half mile of the village, and retreated into the fort. One of them was wounded; his companions stood by him nobly, retreating behind him and keeping the Indians at bay by pointing their guns first at one and then at another of those who were readiest to advance. The alarm was heard at the fort in time to rally the scattered inhabitants; the Indians soon came up within firing distance; and now commenced a fearful struggle between the small party of twenty-five men in the fort against six times their number of the enemy. The Indians took possession of the log-houses, knocked holes in the walls through which to fire at the fort with greater security to themselves, and whilst some were firing at the fort others broke the furniture, destroyed the provisions, and cut open the beds and scattered the feathers found in the houses. The men in the fort were excited to the highest pitch of desperation; they believed that they were contending with an enemy who never made prisoners; and that the result of the contest must be victory or death, and a horrid death too, to them and their families; the women and children moulded the bullets and loaded the guns for their husbands, fathers, and brothers and



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the men fired and fought with a fury required by desperation itself. In this manner the battle was kept up about fifteen hours, when the Indians retreated. The number of their killed and wounded, supposed to be considerable, was never ascertained, as they were carried away in the retreat. The loss in the fort was one man killed and one wounded. One of the men who first retreated to the fort immediately passed on to Galena and there gave the alarm. Col. Strode of the militia, who commanded in Galena, lost no time in marching to the assistance of the fort, but before his arrival the Indians had raised the siege and departed. Galena itself had been in imminent danger of attack; at that time it was a village of four hundred inhabitants, surrounded on every side by the enemy. Col. Strode, like a brave and prudent commander, took every possible measure for its defence. Even here in this extremity of danger a number of the inhabitants yielded their assistance unwillingly and grudgingly. There were a number of aspirants for office and command; and quite a number refused obedience to the militia commander of the regiment; but Col. Strode took the most effectual mode of putting down these discontents. He immediately declared martial law; the town was

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converted into a camp; men were forced into the ranks at the point of the bayonet; and a press warrant from the colonel in the hands of armed men procured all necessary supplies; preparations for defence were kept up night and day; and the Indian spies seeing no favorable opportunity for attack, no considerable body of Indians ever came nearer the town than Apple Fort.

About the time of the siege of the fort a party of Indians made an attack on three men near Fort Hamilton in the lead mines, two of the men were killed and the other escaped. Gen. Dodge of Wisconsin, who happened to arrive at the fort soon after with twenty men under his command, made quick pursuit after these Indians, who were chased to the Pekatonica and there took shelter under the high bank of the river. General Dodge and his party charged upon them in their place of concealment and shelter and killed the whole party, eleven in number, with the loss of three of his own brave men mortally wounded and one who afterwards recovered. This little action will equal any for courage, brilliancy and success in the whole history of Indian wars.<sup>41</sup>

<sup>41</sup> This estimate of the battle of Pecatonica is probably not exaggerated. Dodge had 29 men instead of 20, but 8 of them were on detached service and 3 were

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About this time also, Capt. James W. Stephenson of Galena with a part of his company pursued a party of Indians into a small dense round thicket in the prairie. He commenced a severe fire upon them at random within firing distance of the thicket, but the Indians having every advantage succeeded in killing a few of his men, he ordered a retreat. Neither he nor the men were willing to give up the fight; and they came to the desperate resolution of returning and charging into the thicket upon the Indians. The command to charge was given; the men obeyed with ardor and alacrity; the captain himself led the way; but before they had penetrated into the thicket twenty steps the Indians fired from their covert; the fire was instantly returned; the charge was made a second and third time, each time giving and receiving the fire of the enemy, until shot at the first fire of the Indians. This left 18 to charge the 13 Indians (not 11) concealed in the thicket behind a six-foot-high breastwork formed by the bank of a small lake. In the ensuing hand-to-hand combat all the Indians were killed. Three of Dodge's men were killed and 2 wounded. For Dodge's own report of the affair see Smith, *History of Wisconsin Territory*, Pt. II, Vol. III, 195-99. The conduct of Dodge on this and other occasions helps to explain the answer attributed to Mrs. Dodge to the advice that she take refuge at Galena; "My husband and sons are between me and the Indians; I am safe so long as they live."

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three more of his men lay dead on the ground and he himself was severely wounded. It now became necessary to retreat, as he had from the first but a small part of his company along with him. This attack of Capt. Stephenson was unsuccessful and may have been imprudent; but it equalled anything in modern warfare in daring and desperate courage.<sup>42</sup>

The Indians had now shown themselves to be a courageous, active and enterprising enemy. They had scattered their war parties all over the north, from Chicago to Galena and from the Illinois river into the territory of Wisconsin; they occupied every grove, waylaid every road, hung around every settlement, and attacked every party of white men that attempted to penetrate the country. But their supremacy in the field was of short duration; for on the 20th,

<sup>42</sup> Here was an action similar, save for the outcome, to Dodge's battle of the Pecatonica. Captain Stephenson with 12 men was pursuing a horse-stealing band of 7 Indians. They took refuge in the thicket as related by Governor Ford, which Stephenson charged three times, losing a man killed in each charge. In addition Captain Stephenson was himself seriously wounded. The Indian loss was but one man, stabbed in hand-to-hand encounter by Thomas Sublet. For Stephenson's own contemporary report of the affair see *Illinois State Historical Society Journal*, XXXV (December, 1942), 349-50.

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21st and 22d of June the new forces assembled on the Illinois river were put in motion by Gen. Atkinson of the regular army, who now assumed the command over the whole. Maj. John Dement with a battalion of spies attached to the first brigade was sent forward in advance whilst the main army was to follow and concentrate at Dixon. Maj. Dement pushed forward across Rock river and took position at Kellogg's Grove in the heart of the Indian country.

Major Dement, hearing by express on the 25th of June that the trail of about five hundred Indians leading to the south had been seen within five miles the day before, ordered his whole command to saddle their horses and remain in readiness whilst he himself with twenty men started at daylight next morning to gain intelligence of their movements. His party had advanced about three hundred yards when they discovered seven Indian spies; some of his men immediately made pursuit but their commander, fearing an ambuscade, endeavored to call them back. In this manner he had proceeded about a mile; and being followed soon after by a number of his men from the camp, he formed about twenty-five of them into line on the prairie to protect the retreat of those yet in pursuit. He had scarcely done this before he

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discovered three hundred Indians issuing from the grove to attack him. The enemy came up firing, hallooing and yelling to make themselves more terrific, after the Indian fashion; and the major seeing himself in great danger of being surrounded by a superior force slowly retired to his camp, closely pursued by the Indians. Here his whole party took possession of some log-houses which answered for a fort, and here they were vigorously attacked by the Indians for nearly an hour. There were brave soldiers in this battalion, among whom were Major Dement himself and Lieut. Gov. Casey, a private in the ranks, who kept up such an active fire upon their assailants and with such good aim that the Indians retreated with the certain loss of nine men left dead on the field, and probably five others carried away. The loss on the side of the whites was five killed and three wounded. Major Dement had previously sent an express to Gen. Posey, who marched with his whole brigade at once to his relief; but did not arrive for two hours after the retreat of the Indians. Gen. Posey moved next day a little to the north in search of the Indians, then marched back to Kellogg's Grove to await the arrival of his baggage-wagons; and then to Fort Hamilton on the Pekatonica.

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When the news of the battle at Kellogg's Grove reached Dixon, where all the volunteers and the regular forces were then assembled under command of Gen. Atkinson, Alexander's brigade was ordered in the direction of Plum river, a short stream with numerous branches falling into the Mississippi thirty-five miles below Galena, to intercept the Indians if they attempted in that direction to escape by re-crossing the river. Gen. Atkinson remained with the infantry at Dixon two days and then marched, accompanied by the brigade of Gen. Henry, towards the country of the four lakes,<sup>43</sup> farther up Rock river. Colonel Jacob Fry with his regiment was despatched in advance by Gen. Henry to meet some friendly Indians of the Pottawattomie tribe commanded by Caldwell,<sup>44</sup> a half-breed,

<sup>43</sup> The Four Lakes were Kegonsa, Waubesa, Monona, and Mendota, connected by the Yahara or Catfish River, which is merely the upper extension of Rock River. Between and around Monona and Mendota (still locally known also as Third and Fourth Lakes) lies the city of Madison.

<sup>44</sup> Billy Caldwell, the well-known Chicago Potawatomi chief, was the son of Colonel William Caldwell of Amherstberg and a Potawatomi woman of the Kankakee region. During the War of 1812 he was a supporter of the British, and for several years subsequent to it he was an officer of the British Indian Department at Amherstburg. Dismissed, he rejoined his mother's peo-

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and Shaubanie,<sup>45</sup> the war-chief of the nation.

Gen. Atkinson having heard that Black Hawk had concentrated his forces at the four lakes and fortified his position with the intention of deciding the fate of the war by a general battle, marched with as much haste as prudence would warrant when invading a hostile and wilderness country with undisciplined forces, where there was no means of procuring intelligence of the number or whereabouts of the enemy.

ple, among whom he promptly acquired the status of a chief and with whom his later life was passed. To Billy belongs the distinction of having the first frame house (built for him by the government) ever erected at Chicago. Mrs. John H. Kinzie credited him with saving her husband's half-sister and others from impending destruction by his opportune arrival at Chicago following the massacre of August 15, 1812. In 1832 he exerted his influence to keep the Potawatomi from joining Black Hawk's war upon the whites. He died near Council Bluffs, Iowa in September, 1841. For additional data concerning him see Mrs. John H. Kinzie's *Wau-Bun*, the Lakeside Classics volume for 1932, 215.

<sup>45</sup> For sketch of Shabbona (variously spelled) see Mrs. Kinzie's *Wau-Bun*, 297. A life size portrait of him is owned by the Chicago Historical Society. In 1832 he made heroic efforts to warn the white settlers of Illinois of Black Hawk's impending raids, and he deserves a permanent place in the affection of their descendants.



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On the 30th of June he passed through the Turtle village,<sup>46</sup> a considerable town of the Winnebagoes then deserted by its inhabitants, and encamped one mile above it in the open prairie near Rock river. He believed that the hostile Indians were in that immediate neighborhood and prepared to resist their attack if one should be made. That night the Indians were prowling about the encampment till morning. Continual alarms were given by the sentinels and the whole command was frequently paraded in order of battle. The march was continued next day and nothing occurred until the army arrived at Lake Kuskanong except the discovery of trails and Indian signs, the occasional sight of an Indian spy, and the usual abundance of false alarms amongst men but little accustomed to war. Here the army was joined by Gen. Alexander's brigade; and after Major Ewing and Col. Fry with the battalion of the one and the regiment of the other had thoroughly examined the whole country round about and had ascertained

<sup>46</sup> At the site of Beloit, Wisconsin; but Governor Ford, who seems to have depended upon Wakefield for this statement, is again in error. On June 30 the army camped on Rock River, about seven miles south of the state boundary, arriving at Beloit about noon of July 1. See Stevens, *Black Hawk War*, 205.

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that no enemy was near, the whole force again marched up Rock river on the east side to the Burnt village, another considerable town of the Winnebagoes on the White Water river, where it was joined by the brigade of Gen. Posey and a battalion of a hundred men from Wisconsin commanded by Major (now General) Dodge.

During the march to this place the scouts had captured an old blind Indian of the hostile band, nearly famished with hunger, who had been left behind by his friends, (for want of ability to travel) to fall into the hands of his enemies or to perish by famine. Being, as he said, old, blind, and helpless, he was never consulted or advised with by the other Indians, and could give no account of the movements of his party except that they had gone farther up the river. One historian of the war says that the army magnanimously concluded not to kill him, but to give him plenty to eat and leave him behind to end his life in a pleasant way by eating himself to death. The old man, however, was denied this melancholy satisfaction; for falling in the way of Posey's men as they were marching to the camp, he was quickly despatched even before he had satisfied his natural hunger. This barbarous action is an indelible stain upon the men of that bri-

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gade. At this place, also, Captain Dunn, at present a judge in Wisconsin, acting as officer of the day of one of the regiments, was shot by a sentinel and dangerously wounded.<sup>47</sup>

Up to the time of reaching the burnt village the progress of the command had been slow and uncertain. The country was comparatively an unexplored wilderness of forest and prairie. None in the command had ever been through it. A few who professed to know something of it volunteered to act as guides and succeeded in electing themselves to be military advisers to the commanding general. The numbers of the hostile party were unknown; and a few Winnebagoes who followed the camp, and whose fidelity was of a very doubtful character, were from necessity much listened to but the intelligence

<sup>47</sup> Judge Charles Dunn was long prominent in Wisconsin. Morgan L. Martin, President of the Constitutional Convention of 1847, later characterized him as the ablest character in that body. See *Wis. Hist. Colls.*, XI, 108. Dunn was a lawyer who in 1829 was appointed one of the Canal Commissioners and assisted in laying out the first town plat of Chicago. President Jackson appointed him chief justice of the new Wisconsin Territory in 1836, where he served on the bench to the end of the territorial period. For many years he made his home at Belmont, where he owned the site of the first territorial capital. His only daughter became the wife of Nelson Dewey, first state governor of Wisconsin. See *Wis. Hist. Colls.*, XXIX, 911-12.

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received from them was always delusive. Short marches, frequent stoppages, and explorations always unsatisfactory were the result, giving the enemy time to elude the pursuing forces and every opportunity of ascertaining their probable movements and intentions.

The evening the army arrived at the Burnt village Captain Early with his company of spies returned from a scout and reported the main trail of the Indians, not two hours old, to be three miles beyond. It was determined to pursue rapidly next morning. At an early hour next day, before the troops were ready to march, two regular soldiers, fishing in the river one hundred and fifty yards from camp, were fired upon by two Indians from the opposite shore and one of them dangerously wounded. A part of the volunteers were immediately marched up the river in the direction indicated by Captain Early and Col. Fry's regiment, with the regulars, were left behind to construct bridges and cross to the point from which the Indians had shot the regular soldier. A march of fifteen miles up and across the river (fordable above) proved Captain Early's report to be incorrect: no trail was discoverable. On crossing the river the troops entered upon the trembling lands, which are immense flats of turf extending

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for miles in every direction, from six inches to a foot in thickness, resting upon water and beds of quicksand. A troop or even a single horseman passing over produced an undulating and quivering motion of the land, from which it gets its name. Although the surface is quite dry, yet there is no difficulty in procuring plenty of water by cutting an opening through the stratum of turf. The horses would sometimes, on the thinner portions, force a foot through and fall to the shoulder or ham; yet so great is the tenacity of the upper surface that in no instance was there any trouble in getting them out. In some places the weight of the earth forces a stream of water upwards, which carrying with it and depositing large quantities of sand, forms a mound. The mound, increasing in weight as it enlarges, increases the pressure upon the water below, presenting the novel sight of a fountain in the prairie pouring its stream down the side of a mound, then to be absorbed by the sand and returned to the waters beneath.<sup>48</sup>

<sup>48</sup> In its virgin state southern Wisconsin undoubtedly contained more wet and swampy land than it does to-day. It may be doubted whether any present-day resident of the region would recognize it from this description. The informants of Governor Ford seem to have given him an exaggerated conception of the physical drawbacks of the region he describes.

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Discovering no sign of an enemy in this direction, the detachment fell back to the Burnt village, and the bridges not being yet completed it was determined to throw over a small force on rafts the next day. The Winnebagoes had assured the general that the shore beyond was a large island and that the whole of Black Hawk's forces were fortified on it. In consequence of this information Captain Early's company were crossed on rafts, followed and supported by two companies of regulars under the command of Captain Noel of the army, which last were formed in open order across the island while Captain Early proceeded to scour it, reporting afterwards at Head Quarters that he had found the trail of a large body of Indians; but Col. William S. Hamilton, having crossed the main river three miles below with a party of Menominies, reported the trail of the whole tribe on the main west shore, about ten days old, proceeding northward; and it was afterwards ascertained that no sign had been seen upon the island but that of the two Indians who had fired upon the regular soldiers.

Eight weeks had now been wasted in fruitless search for the enemy, and the commanding general seemed farther from the attainment of his object than when the second req-

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uision of troops was organized. At that time Posey and Alexander commanded each a thousand men, Henry took the field with twelve hundred and sixty-two, and the regular force under Col. Taylor, now Major General, amounted to four hundred and fifty more. But by this time the volunteer force was reduced nearly one half. Many had entered the service for mere pastime and a desire to participate in the excellent fun of an Indian campaign, looked upon as a frolic; and certainly but few volunteered with well-defined notions of the fatigues, delays, and hardships of an Indian war in an unsettled and unknown country. The tedious marches, exposure to the weather, loss of horses, sickness, forced submission to command, and disgust at the unexpected hardships and privations of a soldier's life produced rapid reductions in the numbers of every regiment. The great distance from the base of operations; the difficulties of transportation either by land or water, making it impossible at anytime to have more than twelve days' provisions beforehand, still further curtailed the power of the commanding general. Such was the wastefulness of the volunteers that they were frequently one or two days short of provisions before new supplies could be furnished.

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At this time there were not more than four days' rations in the hands of the commissary, the enemy might be weeks in advance; the volunteers were fast melting away, but the regular infantry had not lost a man. To counteract these difficulties Gen. Atkinson found it necessary to disperse his command for the purpose of procuring supplies.



## Chapter 5

### CONCLUSION OF THE WAR, 1832

ACCORDING to previous arrangements the several brigades took up their lines of march on the 10th of July for their respective destinations. Col. Ewing's regiment was sent back to Dixon as an escort for Captain Dunn, who was supposed to be mortally wounded; Gen. Posey marched to Fort Hamilton on the Peckatonica as a guard to the frontier country. Henry, Alexander, and Dodge, with their commands, were sent to Fort Winnebago, situate at the Portage between the Fox and the Wisconsin rivers; whilst Gen. Atkinson himself, fell back with the regular forces near to Lake Kush-Konong and erected a fort, which he called by the name of the lake. There he was to remain until the volunteer generals could return with supplies. Henry and Alexander made Fort Winnebago in three days, Major Dodge having preceded them a few hours by a forced march which so fatigued and crippled his horses that many of them were unable to continue the campaign. Their route had been in a direct line

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a distance of eighty miles through a country which was remarkably swampy and difficult. On the night of the 12th of July a *stampede* occurred amongst the horses. This is a general wild alarm, the whole body of them breaking loose from their fastenings and coursing over the prairie at full speed, their feet all striking the ground with force and sounding like rolling thunder, and by this means an hundred or more of them were lost or destroyed in the swamps or on a log causeway three miles in length near the fort.

A view of the country from the camp at Fort Winnebago presented the most striking contrariety of features. Looking towards the fort, a neat and beautiful erection among the green hills east of Fox river,<sup>49</sup> were seen the two streams, the Fox and the Wisconsin, with sources several hundred miles apart, the former in the east the latter in the north, gliding as if to mingle their waters until when within three miles of each other they sweep, the one to the northeast the other to the southwest, as if they had met only to

<sup>49</sup> For a contemporary drawing of Fort Winnebago and its surroundings and a charming narrative of the life in and about the fort from 1830 to 1833 see Mrs. Kinzie's *Wau-Bun*, the Lakeside Classics volume for 1932.

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take a gallant adieu before parting in their adventurous journey, the one to deposit his sweet and limpid waters in the gulf of St. Lawrence, the other to contribute his stained and bitter flood to the gulf of Mexico. The course of the Fox is short, crooked, narrow and deep, and abounds with the finest varieties of fish; whilst the Wisconsin is long, wide, and comparatively straight and is said to have no fish; this, perhaps, is owing to its passage through the cypress swamps which render it unwholesome to the finny tribes, and is also the cause of the discoloration of its waters. This river is shallow and abounds in sand bars, which by constant shifting renders its navigation by steamboats dangerous, if not impracticable. Besides the rivers, the face of the country is no less remarkable. The strip of land between the two rivers is low, flat, and swampy with no other growth but a coarse variety of rush, and at high-water so completely overflowed by the two streams as to convert all that part of the United States east of the Mississippi into a great island; a wisp of straw being thrown into the flood where the two currents meet will be divided and one portion floated to the northern, the other to the southern sea. East of Fox river the land is gently undulating, presenting an equable

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distribution of prairie of the richest mould and timber of the finest growth, unobstructed by underbrush, and furnishing an abundance of a plant called pea-vine, an excellent food for cattle.<sup>50</sup> West of the Wisconsin, at the water's edge commence those frowning steps of rugged and barren rock, garnished with black and bristling pines and hemlock, which, as the hunter progresses towards the Mississippi he finds to terminate in a region mountainous, dreary, terrific, and truly alpine in all its features.<sup>51</sup>

<sup>50</sup> It may be no more than a coincidence, for all the present editor knows, that Wisconsin now far outranks all other states in the production of peas, ordinarily providing about one-half as much as the remaining 47 states combined.

<sup>51</sup> The residents of western Wisconsin today would fail to recognize their homeland in reading this description. Yet Governor Ford's language is fairly representative of the contemporary conception of this region. "If those lakes" wrote John A. Wakefield, "were anywhere else except in the country they are, they would be considered among the wonders of the world. But the country they are in is not fit for any civilized nation of people to inhabit. It appears that the Almighty intended it for the children of the forest."

But the Almighty's plans for the children of men are sometimes misinterpreted. The country Wakefield was describing is in Dane County, one of Wisconsin's richest; and beside two of "those lakes" lies the city of Madison, capital of the State, whose residents exhibit a fair degree of prosperity and civilization.

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Two days were occupied at the fort in getting provisions; on the last of which the Winnebago chiefs there reported that Black Hawk and his forces were encamped at the Manitou village thirty-five miles above Gen. Atkinson on Rock river. In a council held between Alexander, Henry, and Dodge it was determined to violate orders by marching directly to the enemy, with the hope of taking him by surprise; or at least putting him between them and Gen. Atkinson; thus cutting off his further retreat to the north. Twelve o'clock on the 15th was appointed as the hour to march. Gen. Henry proceeded at once to reorganize his brigade with a view to disencumber himself of his sick and dismounted men, that as little as possible might impede the celerity of his march. Gen. Alexander soon announced that his men were unwilling and had refused to follow; and Major Dodge reported his horses so much disabled by their late march that he could not muster a force worth taking along. Gen. Henry was justly indignant at the insubordination and defection of his companions in arms, and announced his purpose to march in pursuit of the enemy alone if he could prevail upon but fifty men to follow him. But directly after this a company of mounted volunteers under the command of Capt.

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Craig from Apple river and Galena in Illinois, with fresh horses, arrived at Fort Winnebago to join Major Dodge's battalion, which now made his force of men and horses fit for service one hundred and twenty in the whole. General Henry's brigade, exclusive of Dodge's battalion, amounted to between five and six hundred men, but not more than four hundred and fifty had horses fit for service. On returning to his own brigade Gen. Henry discovered that his own men, infected by association with those of Gen. Alexander, were on the point of open mutiny.

Lieutenant-colonel Jeremiah Smith of Fry's regiment presented to Gen. Henry a written protest signed by all the officers of the regiment except the colonel against the intended expedition; but these mutineers had to deal with an officer of rare abilities as a commander of militia. General Henry was a complete soldier; he was gifted with the uncommon talent of commanding with sternness without giving offence; of forcing his men to obey without degrading them in their own estimation; he was brave without rashness, and gave his orders with firmness and authority, without any appearance of bluster. In his mere person he looked the commander; in a word he was one of those very rare men who are gifted by nature with the power

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to command militia; to be at the same time feared and loved: and with the capacity of inspiring the soldiery with the ardor, impetuosity, and honorable impulses of their commander. General Henry made no other reply to this protest than to order the officers under arrest for mutiny; appointing at the same time Collins' regiment as a guard to escort them to Gen. Atkinson. Colonel Smith in great trepidation protested that he did not know what the paper contained when he signed it, and implored the general's permission to consult a few moments with the officers before further steps were taken. This being accorded, in less than ten minutes they were all collected at the general's quarters, manifesting the utmost contrition, many of them with tears, and pledging themselves, if forgiven, to return to their duty and never be guilty of the like offence again. The general, than whom none better understood human nature or had more capacity to act on it, made them a few remarks, tempered with dignity and kindness; the officers returned to their duty and it is but doing them justice to say that from that hour no men ever behaved better. Alexander's brigade marched back to General Atkinson.

From this place Gen. Henry took up his line of march on the 15th of July, accom-

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panied by Paquette, a half-breed, and the "White Pawnee," a Winnebago chief, as guides, in quest of the Indians.<sup>52</sup> On the route to the head waters of Rock river he was frequently thrown from a direct line by intervening swamps extending for miles. Many of them were crossed, but never without difficulty and the loss of horses. After three days' hard marching his forces encamped upon the beautiful stream of Rock river. This river is not exceeded by any other in natural beauty. Its waters are clear; its bottom and banks rocky or pebbly. The country on each side is either rolling, rich prairie or hills crowned with forests free from undergrowth, and its current sweeps to the Mississippi, deep and bold. Here three Winnebagoes gave intelligence that Black Hawk was encamped at Cranberry lake, farther up the river. Relying upon this information, it was settled by Gen. Henry to make a forced

<sup>52</sup> For an amusing characterization of White Pawnee, see Mrs. Kinzie's *Wau-Bun*, 102 and 111-14. Pierre Paquette was the son of a Frenchman and a Winnebago woman. In 1830, according to Mrs. Kinzie, he was serving as interpreter at Fort Winnebago. He was slain here by an Indian in 1836. Paquette possessed amazing physical strength, concerning which a number of almost incredible stories survive. The village of Poynette (thus spelled), Wisconsin, is named in his honor.



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march in that direction the next morning. Doctor Merryman of Springfield and W. W. Woodbridge of Wisconsin were despatched as expresses to Gen. Atkinson. They were accompanied by a chief called Little Thunder as guide; and having started about dark and proceeded on their perilous route about eight miles to the south-west they came upon the fresh main trail of the enemy, endeavoring to escape by way of the Four Lakes across the Wisconsin river. At the sight of the trail the Indian guide was struck with terror and without permission retreated back to the camp. Merryman and Woodbridge returned also, but not until Little Thunder had announced his discovery in the Indian tongue to his countrymen, who were in the very act of making their escape when they were stopped by Major Murray McConnell and taken to the tent of Gen. Henry, to whom they confessed that they had come into camp only to give false information and favor the retreat of the Indians; and then, to make amends for their perfidy and perhaps, as they were led to believe, to avoid immediate death, they disclosed all they knew of Black Hawk's movements. Gen. Henry prudently kept the treachery of these Indians a secret from his men for it would have taken all his influence and that of all his officers to

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save their lives if their perfidious conduct had been known throughout the camp.

The next morning (July 19th) by daylight everything was ready for a forced march, but first another express was despatched to Gen. Atkinson. All cumbrous baggage was thrown away. The tents and most of the camp equipage were left in a pile in the wilderness. Many of the men left their blankets and all their clothes except the suit they wore, and this was the case in every instance with those who had been so unfortunate as to lose their horses, such as these took their guns, ammunition, and provisions upon their backs and travelled over mountain and plain, through swamp and thicket, and kept up with the men on horseback. All the men now marched with a better spirit than usual. The sight of the broad, fresh trail inspired every one with a lively hope of bringing the war to a speedy end; and even the horses seemed to share somewhat in the general ardor. There was no murmuring, there was no excuse or complaining, and none on the sick report. The first day in the afternoon they were overtaken by one of those storms common on the prairies, black and terrific, accompanied by torrents of rain and the most fearful lightning and thunder; but the men dashed on through thickets almost im-

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penetrable and swamps almost impassable and that day marched upwards of fifty miles. During this day's march Gen. Henry, Major McConnell, and others of the General's staff often dismounted and marched on foot, giving their horses to the footmen.

That night the storm raged till two o'clock in the morning. The men, exhausted with fatigue, threw themselves supperless upon the muddy earth, covered with water, for a little rest. The rain made it impossible to kindle a fire or to cook, so that both officers and men contented themselves with eating some raw meat and some of the wet flour which they carried in their sacks, and which was converted into a soft dough by the drenching rains. A similar repast served them next morning for breakfast. The horses had fared but little better than the men. The government furnished nothing for them to eat and they were obliged to subsist that night upon a scanty grazing, confined within the limits of the camp.

Next morning (July 20) the storm had abated and all were on the march by daylight, and after a march as hard as that on the day before the army encamped at night upon the banks of one of the four lakes forming the source of the Catfish river in Wisconsin, and near the place where the Indians

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had encamped the previous night.<sup>53</sup> At this place the men were able to make fires and cook their suppers and this they did with a hearty good will, having travelled about one hundred miles without tasting anything but raw food and without having seen a spark of fire. That night they again laid upon the ground, many of them with nothing but the sky for a covering, and slept soundly and sweetly, like men upon their beds at home. All were in fine spirits and high expectation of overtaking the Indians next day and putting an end to the war by a general battle. The night did not pass, however, without an alarm. One of the sentinels posted near the bank of the lake fired upon an Indian gliding in his canoe slyly and stealthily to the shore. Every man was aroused and under arms in an instant but nothing followed to continue the alarm. A small black speck could be seen by aid of the star-light on the surface of the lake but no enemy was visible.

The march was continued by early light in the morning (July 21) with unabated ardor; passing round the lake on the edge of the water; and after crossing a tongue of

<sup>53</sup> The camp was "a quarter of a mile north of the northeast extremity of Third Lake (Lake Monona)." Thwaites, "Story of the Black Hawk War," in *Wis. Hist. Coll.*, XII, 252.

## Conclusion of the War

land running down between two of the lakes the army forded a considerable stream, the outlet of one lake running into another. After this they ascended a rising ground from whence could be seen, at one view three of these beautiful sheets of water.<sup>54</sup> The lakes and the surrounding country of sloping prairies and wooded hills stretching away in the distance presented some very striking and beautiful scenery. The hand of civilization had not then disfigured its natural beauty. The smoke of the log cabin and the ragged worm fence were not then to be seen. All was wild and silent save the distant roar of surging waters lashed into motion by the constant but ever-varying winds. The men, however, had but little time to contemplate the beauty of the scenery around them. They were hurried forward by the continual cry of "Close up your ranks" as the officers, whose duty it was to direct and accelerate the march, rode along the lines admonishing them to keep up with the advanced guard. This day's march was still harder than any which preceded it. The men on foot were

<sup>54</sup> They were passing between Lakes Mendota and Monona, across the site of Madison. The "rising ground" was probably the hill now occupied by the University of Wisconsin. The lakes in view were Waubesa, Monona, and Mendota (Second, Third, and Fourth Lakes).

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forced into a run to keep up with the advancing horsemen. The men on horseback carried their arms and baggage for them by turns.

Major William Lee D. Ewing (since a Major General) commanded the spy battalion, and with him was joined the battalion of Major Dodge of Wisconsin. These two officers with their commands were in the advance; but with all their ardor they were never able to get out of sight of the main body. Gen. Henry, who remained with the main body, despatched Major McConnell with the advance guard so as to get the earliest intelligence of any unusual occurrence in front. About noon of this day the advance guard was close upon the rear-guard of the retreating enemy. It is to be regretted that we have no account of the management, the perils, and hair-breadth escapes of the Indians in conducting their retreat. All that we know is that for many miles before they were overtaken their broad trail was strewn with camp kettles and baggage of various kinds which they had thrown away in the hurry of their flight. The sight of these articles encouraged Henry's men to press forward, hoping soon to put an end to this vexatious border war which had so much disturbed the peace of our northern frontier settlements. About noon, also, the

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scouts ahead came suddenly upon two Indians and as they were attempting to escape one of them was killed and left dead on the field. Doctor Addison Philleo, coming along shortly after, scalped this Indian and for a long time afterwards exhibited the scalp as an evidence of his valor. Shortly after this the rear guard of the Indians began to make feint stands, as if to bring on a battle. In doing so their design was merely to gain time for the main body to reach a more advantageous position. A few shots would be exchanged and the Indians would then push ahead, whilst the pursuing force would halt to form in the order of battle. In this way the Indians were able to reach the broken grounds on the bluffs of the Wisconsin river by four o'clock in the afternoon before they were overtaken.

About this time whilst the advance guard was passing over some uneven ground through the high grass and low timber they were suddenly fired upon by a body of Indians who had here secreted themselves. In an instant Major Ewing's battalion dismounted and were formed in front, their horses being removed into the rear. The Indians kept up a fire from behind fallen trees and none of them could be discovered except by the flash and report of their guns.

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In a few minutes Gen. Henry arrived with the main body. The order of battle was now formed. Col. Jones' regiment was placed on the right, Col. Collins' on the left, and Col. Fry's in the rear to act as a reserve. Major Ewing's battalion was placed in front of the line and Major Dodge's on the extreme right. In this order Gen. Henry's forces marched into battle. An order was given to charge upon the enemy, which was handsomely obeyed by Ewing's battalion and by Jones' and Collins' regiments.

The Indians retreated before this charge obliquely to the right and concentrated their main force in front of Dodge's battalion, showing a design to turn his flank. General Henry sent an order by Major McConnell to Major Dodge to advance to the charge; but this officer being of opinion that the foe was too strong for him requested a reinforcement. Col. Fry's regiment was ordered to his aid, and formed on his right. And now a vigorous charge was made from one end of the line to the other.

Colonel Fry's regiment made a charge into the bush and high grass where the Indians were concealed and received the fire of their whole body. This fire was briskly returned by Fry and Dodge and their men, who continued to advance, the Indians standing



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their ground until the men came within bayonet reach of them, then fell back to the west along the high broken bluffs of the Wisconsin, only to take a new position amongst the thickest timber and tall grass in the head of a hollow leading to the Wisconsin river bottom. Here it seemed they were determined to make a firm stand; but being charged upon in their new position by Ewing's battalion and by Collins' and Jones' regiments, they were driven out of it, some of them being pursued down the hollow and others again to the west along the Wisconsin heights until they descended the bluffs to the Wisconsin bottom, which was here about a mile wide and very swampy, covered with thick tall grass, above the heads of men on horseback. It being now dark night farther pursuit was stopped and Gen. Henry and his forces lay upon the field of battle. That night Henry's camp was disturbed by the voice of an Indian loudly sounding from a distant hill, as if giving orders or desiring a conference. It afterwards appeared that this was the voice of an Indian chief speaking in the Winnebago language, stating that the Indians had their squaws and families with them, that they were starving for provisions and were not able to fight the white people; and that if they were permitted to pass

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peaceably over the Mississippi they would do no more mischief. He spoke this in the Winnebago tongue in hopes that some of that people were with Gen. Henry and would act as his interpreter. No Winnebagoes were present, they having run at the commencement of the action; and so his language was never explained until after the close of the war.<sup>55</sup>

Next morning early Gen. Henry advanced to the Wisconsin river and ascertained that the Indians had all crossed it and made their

<sup>55</sup> At Stillman's Run Black Hawk's peace overture was defeated by the undisciplined stupidity of the Illinois volunteers; at Wisconsin Heights, by the unfortunate absence of the Winnebago scouts and the inability of the whites to understand the message they were listening to. The speaker was Neapope, Black Hawk's principal lieutenant, who apart from other qualities possessed an extraordinary voice. Wakefield relates that the white soldiers supposed him to be issuing directions to the warriors for an attack upon their camp; and while the red orator poured out his mournful appeal for peace and mercy General Henry was delivering an eloquent counter-appeal to his men to repel the attack that was momentarily expected: "Stand firm my brave Suckers," he concluded, "until you can see the whites of their eyes before you discharge your muskets, and then meet them with a charge as you have before done, and that too with great success." In 1832 as in the War of 1812 the discharge of volleys of high-powered oratory was a common prelude to the volleys of musketry.

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escape into the mountains between that and the Mississippi. It was ascertained after the battle that the Indian loss amounted to sixty-eight left dead on the field and a large number of wounded, of whom twenty-five were afterwards found dead along the Indian trail leading to the Mississippi. General Henry lost one man killed and eight wounded. It appeared that the Indians, knowing that they were to fight a mounted force, had been trained to fire at an elevation to hit men on horseback; but as Gen. Henry had dismounted his forces and sent his horses into the rear the Indians overshot them; and this will account for the very few men killed and wounded by them.<sup>56</sup>

<sup>56</sup> This battle, known ever since as the battle of Wisconsin Heights, was a rear-guard action fought by Black Hawk to hold back the white army long enough for the women and children and remaining warriors to escape across the wide-flowing Wisconsin. In this most difficult operation he was entirely successful. Governor Ford's explanation of the disparity in losses between the two armies is of doubtful validity, as are the figures given for the loss sustained by the Indians. Black Hawk himself claimed he lost but six men, and believed the white loss was proportionately far greater than his own. "Whatever may be the sentiments of the white people in relation to this battle," he concluded, "my nation, though fallen, will award me the reputation of a great brave in conducting it." Modern historians on the whole seem disposed to accept his estimate.

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We have now to account for the fact that Gen. Henry never received abroad the credit which was due him as the commander in this battle, or in any other during the war. In the morning after the battle Col. Fry heard Major Dodge and Dr. Philleo consulting privately about writing an account of it to be published. He immediately conveyed this intelligence to Gen. Henry, suggesting that Dodge would claim all the credit and advising Gen. Henry, as the only means of securing his rightful claim, to send an express immediately to Galena with his own account of the battle. This prudent advice Henry neglected.

Doctor Philleo was the editor of a newspaper at Galena called "the Galenian," then the only newspaper published north of Springfield, either in Illinois or Wisconsin.<sup>57</sup> The war news always appeared first in this paper. The editor belonged to Dodge's battalion and when he wrote home the news to be published in his paper he never mentioned Henry except as a subordinate, or

<sup>57</sup> For the excellent reason, of course, that except at Galena there was no place north of Springfield capable of supporting a paper. As a consequence of the boom which followed the war, papers were started at Chicago and Green Bay in the autumn of 1833.

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any other officer but Dodge. His letters chronicled the doings of Gen. Dodge only, and by calling him *General* Dodge it was made to appear that he was the commander of the whole brigade instead of a single battalion attached to it. These letters were copied into all other newspapers throughout the United States as the authentic news of the war; and never having been contradicted, the people abroad were thus deluded into the belief that Dodge was the great hero of the war. Henry was lost sight of; and now in many histories we find it asserted that Dodge was the commander in this war; thus throwing out of sight both Generals Henry and Atkinson as well as General Zachary Taylor, who, as colonel, commanded the regular force. The world loves to be humbugged. This delusion was of immense advantage to Gen. Dodge; for although he was a man of very high merit, yet would he have been more fortunate than thousands of others equally meritorious if this delusion did not assist much in getting the great name he afterwards obtained. He was first appointed a colonel of dragoons; then to be governor of Wisconsin territory; then he was elected a delegate from the territory to Congress; and after this he was again appointed governor of the terri-

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tory.<sup>58</sup> And it is but just to say of him that independently of the renown he acquired in the Black Hawk war he enjoyed great popularity and influence.\*

\*DODGEVILLE, March 17th, 1847.

HON. THOMAS FORD,—

SIR,—The enclosed paragraph taken from the "Milwaukee Sentinel and Gazette" of the 17th ult. purports to have been a lecture read by you in the Senate chamber during the late session of the Illinois legislature giving the "true history of the Black Hawk war." Will you please inform me at your earliest convenience, if you made the statements attributed to you in the paragraph in question?

Respectfully, your servant,

HENRY DODGE.

VERSAILLES, BROWN COUNTY, ILLINOIS, {  
April 13, 1847. }

SIR,—After an absence of two weeks, on my return to this place I had the honor to receive your note of the 7th ult., which was forwarded to me from Springfield. The extract cut from the Wisconsin paper, endorsed in your letter, does not contain a correct account of my

<sup>58</sup> Subsequently, it may be added, one of Wisconsin's first U. S. senators (1848-57). For several years as Wisconsin Territorial Delegate and for six years as U. S. Senator he served beside his son, Augustus Caesar Dodge, Territorial Delegate and (subsequently) Senator from Iowa. Politics, largely of a personal nature, burned fiercely in the breasts of the pioneers of this period, as Governor Ford's *History* abundantly shows. The personal and frequently petty rivalries between the militia officers who participated in the Black Hawk War constitutes for the reader one of its least exhilarat-

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lecture on the Black Hawk war. It is erroneous in many important particulars. That lecture was prepared from my own personal knowledge of the campaign in 1831; and from information of the various operations in 1832 from various persons; more particularly from Maj. Gen. Jacob Fry of Lockport; Maj. Murray McConnell of Jacksonville; Dr. E. H. Merriman, of Springfield; Maj. Gen. Wm. Lee D. Ewing, late of Springfield, and the Hon. John J. Stewart, late a member of Congress. Gen. Fry commanded a regiment under Gen. Henry; Gen. Ewing commanded the spy battalion of Henry's brigade; Maj. McConnell was brigade-major of Henry's brigade; Dr. Merriman was adjutant of Collins' regiment in Henry's brigade; and Mr. Stewart commanded a battalion in it. I have not had an opportunity to see and converse with Cols. Collins and Jones, who commanded the other two regiments belonging to Henry's command in the battle of the Wisconsin. But Gen. Fry, Gen. Ewing and Maj. McConnell, were with Gen. Henry throughout the war. In collecting the facts and writing out the history of this war my only object has been to arrive at and state the truth; for history without truth is of but little value. I concluded, therefore, before publishing anything on the subject I would deliver this portion of the history of Illinois as a lecture, at Springfield during the session of the legislature, there

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ing features, and a generation scarcely sufficed for the survivors to fight out their paper wars. Frank E. Stevens best disposes of this matter in the following comment; "When time had passed and mellowed the controversy, Henry, the chief in command, and Dodge the second in command at that battle [Wisconsin Heights] remained with the people of Illinois and Wisconsin first among their fighters and first among their favorites, and surely both deserved the best portions of the good things said of either." *The Black Hawk War*, 220.

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being then many persons present who had been out in the war, and who might be able to correct me when I might be in error. Such corrections were invited; and accordingly I have received many, of which I have freely availed myself since.

It is my intention to publish a history of Illinois in the course of the summer, but as yet I have neither directly nor indirectly authorized any of the newspaper notices of it made last winter; nor have I given any sort of publicity to the matter more than a lecture can give. In the meantime I will be glad to avail myself of any information which you may have it in your power to communicate; and if I cannot consistently with other evidence follow your statements implicitly, they will be published entire, if not too voluminous.

According to my present information I have felt it to be my duty to insist that Gen. Henry was the principal man in this war; that he commanded and directed all the movements of the troops from Fort Winnebago to Rock river, and from thence to the Wisconsin, and throughout the battle which there ensued; that he commanded a brigade of three regiments and a spy battalion; and that you commanded but a single battalion of one hundred and twenty men. I have stated that on the march your command, and the spies commanded by the late Gen. Ewing, were in front as the advance guard; that in the battle you was stationed on the extreme right, but when a charge of the whole line was ordered by Gen. Henry, the Indians collected on the right in front of your battalion, showing a design to turn your flank, which caused Gen. Henry to order Col. Fry's regiment to form on your right; which being done, you and Gen. Fry charged upon and drove the Indians into the head of a hollow leading down from the bluffs of the Wisconsin, and from thence, upon the charge of the whole brigade they were routed, and fled down the bluffs and across the bottom to the Wisconsin river.



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Gen. Fry and Maj. McConnell say that your battalion did not come into the action until re-enforced by Fry's regiment. Maj. McConnell says that he bore the order from Gen. Henry to you to charge on the Indians but that you thought you was not strong enough. He returned with this answer to Gen. Henry, and then Henry sent Fry to re-enforce you. Gen. Fry says that when the Indians first began the attack you was in advance with Gen. Ewing's battalion, and that you and your battalion immediately fell back into line. This last fact I see that I omitted to state in my lecture. I have also been informed that you would not agree to march from Fort Winnebago in pursuit of the Indians, thereby disobeying the orders of Gen. Atkinson, without a written order from Gen. Henry. This, also, I see I have omitted in my lecture. I see upon examination that I said nothing whatever about written orders.

I have also stated that when Gen. Atkinson pursued the Indians across the Wisconsin your battalion was put in advance with the regulars; and that Gen. Henry's brigade was put in the rear with the baggage by way of degrading him and his men, as they understood the matter; that when Atkinson's advance reached within four or five miles of the Mississippi it was fired on by about twenty Indians; that he pursued them with all his forces (yours included) except Henry's brigade to a place on the river about two or three miles above the encampment of the main body of Indians; that Henry coming up in the rear, and as yet being without orders, pursued the main trail of the Indians directly to the river, where his brigade was the first to attack their main body, and had killed or driven the principal part of them into the river or over a slough on to a little willow island before Gen. Atkinson came up with his forces, including your battalion. These are the principal matters stated by me, so far as you and Gen. Henry are concerned.

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I have been informed by Gen. Fry that directly after the battle of the Wisconsin he heard you and Dr. Philleo talking about writing out and sending away an account of the battle; that he mentioned the circumstance to Gen. Henry, and urged Henry immediately to write out his report and send it to Galena by express to be published, as the only mode of securing the credit due to himself; but Henry neglected to do so. This I have stated. I am informed also by Fry, Merriman, McConnell and Stuart that you did write a letter to Gen. Street or some other person, giving an account of the battle, in which you said nothing of Gen. Henry. But as I do not remember seeing the letter I have not attempted to speak of its contents. It is said that this letter was published in the St. Louis papers and from them was extensively copied throughout the Union. I have made no search as yet in St. Louis for it and do not intend to speak of its contents unless I can find it; and then they will be stated correctly.

I do not personally know that Doctor Philleo was with you in this campaign; but during the war I was a reader of the "Galenian" newspaper of which he was editor. It contained many letters from the Doctor giving accounts of your operations and saying but little of other officers. I remember, also, that these letters in the "Galenian" were extensively republished in other papers, from which I have inferred that this is the true cause why Gen. Henry and the Illinois volunteers have never received credit abroad for what they deserved in this war.

It is not true that I stated you were first brought into notice by this war, as is asserted in the Wisconsin paper; or that honors and offices were showered upon you and your family in consequence of your renown acquired in this war. But it is true that I have traced the parallel between your good fortune and that of Gen. Henry, and I stated expressly in my lecture that inde-

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pendently of the renown which you acquired in the Black Hawk war you have enjoyed great popularity and influence.

It has been stated to me that after the war you endeavored to get Doctor Philleo the appointment of surgeon in the army but that he could not pass an examination before the Medical Board. Will you allow me to ask you how is this?

Doctor Merriman has informed me in writing that when Henry, Alexander, and yourself were sent to Fort Winnebago for supplies you preceded the others a few hours by a forced march, by which most of your horses were disabled; that after agreeing to march with Henry in pursuit of the Indians and after Alexander's brigade had mutinied and refused to march you reported to Gen. Henry that you could raise no more than forty horses; that Henry insisted that you should go even with that number; that you replied you would see what you could do; and just at that time some fresh horsemen came up, making your command, which you took along, one hundred and twenty effective men. I would be pleased to have your statement concerning this.

I have noticed in the most flattering manner your engagement, or rather charge upon the Indians at Peck-tonica. A short statement of this affair will be thankfully received.

The Illinois volunteers, when they returned from the war, unanimously gave Gen. Henry the credit of being the principal man in it, and such has been the current and universal belief in this State ever since—now nearly fifteen years. This has undoubtedly had its influence on my mind and as yet I perceive no good reason why it ought not to have an influence. Be pleased to direct your future correspondence to Peoria, to which place I intend to remove my family in a few days.

I am, most respectfully, your obedient servant,  
THOMAS FORD.

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HIS EXCELLENCY HENRY DODGE, {  
Dodgeville, Wisconsin. }

I regret exceedingly that after waiting about five months nothing has been received from Gov. Dodge in answer to the foregoing letter. From the evidence before me I have been conscientiously of opinion that Gov. Dodge was not, and that Gen. Henry was, entitled to the credit of being the hero of the Black Hawk war; that Dodge, whether designedly or not on his part, has been for the last fifteen years wearing the laurels due to Henry; and I have endeavored to set forth that opinion with manly independence. If, however, Gen. Dodge after commencing a correspondence on the subject had seen proper to continue it in answer to the foregoing letter, and had communicated any facts calculated to weaken the force of that opinion, he should have had the full benefit of his communications.

Since writing the foregoing I have found the following in Niles' Register of the 18th August, 1832: "INDIAN WAR. We have received the 'Missouri Republican' extra of the 1st instant confirming the intelligence published in our paper of Thursday of the defeat of the Indians by *General Dodge* at the Wisconsin. The following letter from *General Dodge* gives a hope that the remnant of the Indians may be overtaken:

"CAMP WISCONSIN, *July 22, 1832.*

"*We* met the enemy yesterday near the Wisconsin river, and opposite the old Sack village, after a close pursuit for near a hundred miles. *Our* loss was one man killed and eight wounded. From the scalps taken by the Winnebagoes as well as those taken by the whites, and the Indians carried from the field of battle, *we* have killed forty of them. The number of wounded is not known. We can only judge from the number of killed that many were wounded. From their crippled situa-

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tion *I* think *we* must overtake them, unless they descend the Wisconsin by water. If you could place a field-piece immediately on the Wisconsin that would command the river you might prevent their escape by water. Gen. Atkinson will arrive at the Blue Mounds on the 24th with the regulars and a brigade of mounted men. *I* will cross the Wisconsin to-morrow, and should the enemy retreat by land he will probably attempt crossing some twenty miles above Prairie du Chien. In that event the mounted men would want some boats for the transportation of their arms, ammunition, and provisions. If you could procure for us some Mackinaw boats in that event, as well as some provision supplies, it would greatly facilitate our views. Excuse great haste. I am, with great respect, your obedient servant,

H. DODGE,

Col. commanding Michigan Volunteers."

The fact that Gen. Dodge wrote the foregoing letter beginning "*We* met the enemy," continuing "*Our* loss was," &c., "*We* have killed forty of them," "*I* think *we* must overtake them," "*I* will cross the Wisconsin," &c. the fact that he points out to the officer at Prairie du Chien what to do to intercept the Indians and aid the whites, as if Dodge was in reality the commander, the fact that he signs himself "Col. commanding Michigan Volunteers," when he only commanded a small battalion, the fact that he says nothing of Gen. Henry who was present, but does speak of Gen. Atkinson who was absent, the fact that this letter was republished as war news in all the newspapers in the United States, and the fact that Henry himself never made any report of the battle will, whether Gen. Dodge designed it or not, sufficiently explain the reason why Gen. Henry did not get the credit abroad which was and is justly

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due him, and also the reason why Gen. Dodge did get credit which he never was entitled to of being the hero of the Black Hawk war.

General Henry's subsequent career was less brilliant, but this was because it was cut short by death. Although he was a man of very powerful and muscular make, not long after the war he was attacked with the consumption. He went to the South for his health and died at New Orleans on the 4th day of March, 1834. Such was the amiable modesty and unpretending merit of this man that he never let it be known to the strangers among whom he resided in his last sickness that he was Gen. Henry of the Black Hawk war. This fact was discovered to them only after his death. He left no family to inherit his honors and vindicate his fame. After his death the selfishness of the many suffered the matter to rest. No one felt interested to vindicate the rights of the dead against the false claims of the living. If I had not undertaken to write this history I am certain that I never should have thought of doing it.<sup>59</sup> And now whilst I attempt it I wish to do

<sup>59</sup> Although historians commonly recognize Henry as the outstanding hero of the war, one is compelled to seek long for any sketch of his career. Even the *Dictionary of American Biography*, which embalms the memory of some 13,000 more or less eminent Americans, can find no place for General Henry.

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General Dodge no injustice. That he is a brave, meritorious officer I make no doubt; and in this history I have cheerfully given him all the credit he is entitled to. But *I deny most positively* that he was the principal man, either in rank or merit, in the Black Hawk war. In doing so I have no motive but a generous one. It is simply to do justice to the memory of the great and meritorious dead—to the memory of him who, being removed from the scene of action, has no further power to do me either good or harm. And in doing so I may be fortunate not to expose myself to the enmity of the powerful living, who can do me both or either.

In Illinois, General Henry's merits have been always duly appreciated. He was the idol of the volunteers and the people, and if he had lived his numerous friends would never have permitted him to submit to the unworthy artifices used to deprive him abroad and in history of his well-earned glory. If he had lived he would have been elected governor of the State in 1834 by more than 20,000 majority, and this would have been done against his own will, by the spontaneous action of the people.

The next day after the battle of the Wisconsin, for want of provisions it was determined to fall back to the Blue Mounds.

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The Winnebagoes who accompanied Henry during his forced march had displayed their usual treachery and cowardice by retreating at the commencement of the battle. No one then in the brigade knew enough of the country to act as guide. Henry had marched one hundred and thirty miles through an unknown and hitherto unexplored country, without roads or land-marks, and now found himself in a position from which no one with him could direct his way to the settlement. He was without provisions for his men, or surgeons or accommodations for the wounded; horses and men were worn down with fatigue, and they might be a week or more blundering through the wilderness before they found their way out. A council was called to consider these difficulties; and whilst it was debating the course to be pursued some Indians approached with a white flag who were ascertained to be friendly Winnebagoes. Their services were secured as guides. Litters were made for the wounded; and the army was soon on the march for the Blue Mounds, which were reached in two days. Here Gen. Henry met Gen. Atkinson with the regulars and Alexander's and Posey's brigades. It was soon apparent to Gen. Henry and all his officers that Gen. Atkinson and all the regular offi-



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cers were deeply mortified at the success of the militia. They did not intend that the militia should have had any of the credit in the war. The success of Henry, too, was obtained by a breach of orders and in defiance of the counsels of those who professed exclusive courage and knowledge in the military art. The regular officers evidently envied those of the militia. General Atkinson had always relied most upon the regulars; they had all the time been kept in advance, and now it was too much to be borne that whilst they were forted at Lake Kuskonong the Indians had been discovered, pursued, overtaken, and victory obtained by the Illinois militia.

After spending two days in preparation at the Blue Mounds the whole force, now under the direction of Gen. Atkinson, was again on the march in pursuit of the Indians. The Wisconsin river was crossed at Helena and the trail of the Indians was struck in the mountains on the other side. And now again the regulars were put in front; Dodge's battalion and Posey's and Alexander's brigades came next; and Henry was placed in the rear in charge of the baggage, the commanding general thus making known the ungenerous envy which burned in his bosom against the brave men who had distinguished them-

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selves in the previous battle. It was plain that if other laurels were to be won they were to be worn on other brows. Henry's brigade felt that they had been visited with undeserved insult, for they well knew that they deserved better treatment, and with one voice claimed the post of honor and of danger. But Henry was too good an officer to utter a word of complaint and his officers and men, though lately the victors in a well-fought field, following his noble example quietly trudged on in the rear, doing the drudgery of the army by taking charge of the baggage trains.

Day after day the whole force toiled in climbing and descending mountains covered with dense forests and passing through swamps of deep, black mud lying in the intervening valleys. But the march was slow compared with that preceding the battle of the Wisconsin. In this march were found, all along the route, the melancholy evidences of the execution done in that battle. The path of the retreating Indians was strewn with the wounded who had died on the march, more from neglect and want of skill in dressing their wounds than from the mortal nature of the wounds themselves. Five of them were found dead at one place where the band had encamped for the night.

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About 10 o'clock in the morning of the fourth day after crossing the Wisconsin Gen. Atkinson's advance reached the bluffs on the east side of the Mississippi. The Indians had reached the bank of the river some time before. Some had crossed and others were now making preparations to cross it. The steamboat "Warrior," commanded by Captain Throckmorton, descended to that place the day before. As the steamboat neared the camp of the Indians they raised a white flag; but Captain Throckmorton, believing this to be treacherously intended, ordered them to send a boat on board, which they declined doing.<sup>60</sup> In the flippant language of the Cap-

<sup>60</sup> The contemporary zest of the pioneers for killing Indians is well illustrated by Captain Throckmorton's action on this occasion. Precisely how, in the flight across the Wisconsin wilderness, the Indians could have carried boats along yet remains to be explained. Throckmorton was acquainted with Black Hawk, who refused to believe, even after the event, that the Captain intentionally answered his offer to surrender with cannon shot. "I am confident he would not have fired upon us if he had known my wishes. I have always considered him a good man, and too great a brave to fire upon an enemy when suing for quarter." *Life of Black Hawk* (The Lakeside Classics Ed.), 158. The historian, unfortunately, cannot pass such lenient judgment upon Throckmorton's conduct as did the defeated warrior.

A vivid description of the battle as viewed by a participant on board the *Warrior* is supplied by John H. Fonda in *Wis. Hist. Colls.*, V, 262-63.

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tain, after allowing them fifteen minutes to remove their squaws and children he let slip a six-pounder at them, loaded with canister shot, followed by a severe fire of musketry; "and if ever you saw straight blankets, you would have seen them there." According to the Captain's account the "fight" continued for an hour and cost the lives of twenty-three Indians and a large number wounded. The boat then fell down the river to Prairie du Chien; and before it could return the next morning the land forces under Gen. Atkinson had come up and commenced a general battle.

It appears that the Indians were encamped on the bank of the Mississippi some distance below the mouth of the Bad Axe river. They were aware that Gen. Atkinson was in close pursuit; and to gain time for crossing into the Indian country west of the Mississippi they sent back about twenty men to meet Gen. Atkinson, within three or four miles of their camp. This party of Indians were instructed to commence an attack and then to retreat to the river three miles above their camp. Accordingly when Gen. Atkinson, the order of march being as before, came within three or four miles of the river he was suddenly fired upon from behind trees and logs, the very tall grass aiding the concealment of the attacking party. Gen. Atkin-

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son rode immediately to the scene of action and in person formed his lines and directed a charge. The Indians gave way and were pursued by Gen. Atkinson with all the army except Henry's brigade, which was in the rear and in the hurry of pursuit left without orders. When Henry came up to the place where the attack had been made he saw clearly that the wily stratagem of the untutored savage had triumphed over the science of a veteran general. The main trail of the Indians was plain to be seen leading to the river lower down. He called a hasty council of his principal officers and by their advice marched right forward upon the main trail. At the foot of the high bluff bordering the river valley, on the edge of a swamp densely covered with timber, drift-wood, and underbrush, through which the trail led fresh and broad, he halted his command and left his horses. The men were formed on foot and thus advanced to the attack. They were preceded by an advance guard of eight men, who were sent forward as a forlorn hope and were intended to draw the first fire of the Indians and to disclose thereby to the main body where the enemy was to be found, preparatory to a general charge. These eight men advanced boldly some distance until they came within sight of the

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river, where they were fired upon by about fifty Indians and five of the eight instantly fell wounded or dead. The other three, protected behind trees, stood their ground until the arrival of the main body under Gen. Henry, which deployed to the right and left from the centre. Immediately the bugle sounded a charge, every man rushed forward, and the battle became general along the whole line. These fifty Indians had retreated upon the main body amounting to about three hundred warriors, a force equal if not superior to that now contending with them. It was soon apparent that they had been taken by surprise. They fought bravely and desperately but seemingly without any plan or concert of action. The bugle again sounded the inspiring music of a charge. The Indians were driven from tree to tree and from one hiding-place to another. In this manner they receded step by step, driven by the advancing foe, until they reached the bank of the river. Here a desperate struggle ensued but it was of short duration. The bloody bayonet in the hands of excited and daring men pursued and drove them forward into the waters of the river. Some of them tried to swim the river; others to take a temporary shelter on a small willow island near the shore.

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About this time Gen. Atkinson with the regulars and Dodge's battalion arrived, followed by Posey's and Alexander's men. But the main work had been done before they came up. It had been determined that Henry's men should have no share in this day's glory, but the fates, taking advantage of a blunder of Gen. Atkinson, had otherwise directed. After the Indians had retreated into the river and on to the island Henry despatched Major McConnell to give intelligence of his movements to his commander, who whilst pursuing the twenty Indians in another direction had heard the firing where Henry was engaged. Gen. Atkinson left the pursuit of the twenty Indians and hastened to share in the engagement. He was met by Henry's messenger near the scene of action, in passing through which the dead and dying Indians lying around bore frightful evidence of the stern work which had been done before his arrival. He, however, lost no time in forming his regulars and Dodge's battalion for a descent upon the island. These forces together with Ewing's battalion and Fry's regiment made a charge through the water up to their armpits on to the island, where most of the Indians had taken their last refuge. All the Indians who attempted to swim the river were picked off with rifles

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or found a watery grave before they reached the opposite shore. Those on the island kept up a severe fire from behind logs and drift-wood upon the men as they advanced to the charge; and here a number of regulars and of volunteers under Dodge were killed and wounded. But most of the Indians there secreted were either killed, captured, or driven into the water, where they perished miserably, either by drowning or by the still more fatal rifle. During these engagements a number of squaws were killed. They were dressed so much like the male Indians that, concealed as they were in the high grass, it was impossible to distinguish them. It is estimated that the Indian loss here amounted to one hundred and fifty killed and as many more who were drowned in the river, and fifty prisoners were taken, mostly squaws and children. The residue of the Indians had escaped across the river before the commencement of the action.<sup>61</sup> The twenty men who first commenced the attack, led by Black Hawk in person, escaped up the river.

<sup>61</sup> About 300 in number, largely women and other noncombatants. But General Atkinson set a band of Sioux warriors, inveterate enemies of the Sauk, upon the trail of these fugitives, who slaughtered most of them. According to Pease not more than 150 of the 1000 followers of Black Hawk who crossed the Mississippi in April lived to return to their homes in Iowa.



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The American loss amounted to seventeen killed, one of them a captain of Dodge's battalion and one a lieutenant of Fry's regiment, and twelve wounded.

It appears that Black Hawk with his twenty men, after the commencement of the battle by Gen. Henry and after Gen. Atkinson had ceased pursuit, retreated to the Dalles on the Wisconsin river. A number of Sioux and Winnebago Indians were sent in pursuit of him. These tribes, though sympathizing with the hostile band, were as accomplished in treachery to their friends when friendship was most needed as are a more civilized people. They had lately seen so striking a display of the strength of the white man that, like a more polished race, their mean and crafty natures clung to the side of power. Headed by the one-eyed Decoré, a Winnebago chief, they went in pursuit of Black Hawk and his party and captured them high up on the Wisconsin river. The prisoners were brought down to Prairie du Chien and delivered up to Gen.

*The Frontier State*, 171. A pitiful story of the experiences of one of the survivors who succeeded in making her way back to Keokuk's village is recorded by John W. Spencer in *The Early Day of Rock Island and Davenport*, the Lakeside Classics volume for 1942, pp. 73-75.

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Street, the United States Indian Agent. Amongst them was a son of Black Hawk and also the Prophet, a noted chief who formerly resided at Prophet's town in Whiteside county, and who was one of the principal instigators of the war. He has perhaps been correctly described as being about forty years old, tall, straight, and athletic; with a large, broad face; short, blunt nose; large, full eyes; broad mouth; thick lips; and an abundance of thick, coarse, black hair. He was the priest and prophet of his tribe and he mingled with his holy character the cruel feelings of a wild beast of the feline tribe; exhibiting in his looks a deliberate ferocity and embodying in his person all our notions of priestly assassination and clerical murder. He was dressed in a suit of very white deer-skin, fringed at the seams, and wore a head-dress of white cloth which rose several inches above his head, and held in one hand a white flag whilst the other hung carelessly down by his side.

The prisoners were presented by the two chiefs, Decori and Cheater. The Decori said to Gen. Street: "My father, I now stand before you; when we parted I told you we would return soon. We had to go a great distance, to the Dalles of the Wisconsin. You see that we have done what we went to

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do. These are the two you told us to get (pointing to Black Hawk and the Prophet). We always do what you tell us because we know it is for our good. My father, you told us to get these men, and it would be the cause of much good to the Winnebagoes. We have brought them but it has been very hard for us to do it. That one, Mucatah Muhicatah, was a great way off. You told us to bring them alive; we have done so. If you had told us to bring their heads alone, we would have done it. It would have been easier to do than what we have done. My father, we deliver these men into your hands; we would not deliver them even to our brother, the chief of the warriors, but to you, because we know you and believe you are our friend. We want you to keep them safe. If they are to be hurt we do not wish to see it. My father, many little birds have been flying about our ears of late and we thought they whispered to us that there was evil intended for us; but now we hope the evil birds will let our ears alone. My father, we know you are our friend, because you take our part; this is the reason we do what you tell us to do. My father, you say you love your red children; we think we love you more than you love us. My father, we were promised much good if we would take these

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people. We wait to see what good will be done for us. My father, we have come in haste and are tired and hungry; we now put these men in your hands."

The foregoing is not given as a specimen of Indian eloquence; but may serve as a fair example of the mean spirit, cringing, fawning, and flattering of these rude barbarians when their natural ferocity is overpowered by fear.

It may at this day be interesting to hear the answer of the great Gen. Taylor, who was then a colonel of the regulars, to this speech. He said: "The great chief of the warriors told me to take the prisoners, when you should bring them, and send them to him at Rock Island. I will take them and keep them safe and use them well; and will send them down by you and Gen. Street when you go down to the council, which will be in a few days. Your friend, Gen. Street, advised you to get ready and go down to the council. I advise you to do so too. I tell you again that I will take the prisoners, keep them safe, and do them no harm. I will deliver them to the great chief of the warriors and he will do with them and use them as he may be directed by your great father the president."

Cheater addressed Gen. Street as follows: "My father, I am young and don't know

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how to make speeches. This is the second time I have spoken to you before the people. My father, I am no chief, I am no orator, but I have been allowed to speak to you. My father, if I should not speak as well as others, still you must listen to me. My father, when you made the speech to the chiefs Waugh-kon Dacori, Caramanee, the one-eyed Dacori and others the other day I was there and heard you. I thought what you said to them you also said to me. You said if these two (pointing to Black Hawk and the Prophet) were brought to you, a black cloud would never again hang over the Winnebagoes. My father, your words entered into my ears and into my heart. I left here that very night and you have not seen me since until now. My father, I have been a great way. I have had much trouble. But when I remember what you said, knowing you were right, I kept right on and did what you told me to do. Near the Dalles on the Wisconsin river I took Black Hawk. No one did it but me. I say this in the ears of all present; they know it to be true. My father, I am no chief, but what I have done is for the benefit of my nation; and I now hope for the good that has been promised us. My father, that one, Wabokishick (the prophet) is my kinsman. If he is hurt I do not wish to see

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it. The soldiers sometimes stick the ends of their guns into the backs of the Indian prisoners when they are going about in the hands of the guard. I hope this will not be done to these men." This is a more manly specimen of Indian oratory, showing much generous feeling, delicately expressed.

General Atkinson with the regulars had gone down to Prairie Du Chien in the steamboat Warrior; the volunteers had marched down by land. Here they met Gen. Scott, who had been ordered from the East to take the chief command in this war. In eighteen days Gen. Scott had transported a regular force from Fortress Monroe on the Chesapeake Bay to Chicago. On their route up the lakes they were dreadfully afflicted with the Asiatic cholera, then a new and strange disease making its first appearance on the continent of America. It suddenly broke out among his troops at Detroit, about forty miles from which place two hundred and eight men were landed under the command of Colonel (now General) Twiggs, of whom it is said only nine survived.<sup>62</sup> The main

<sup>62</sup> Although the epidemic was terrible enough the figures given by Governor Ford are exaggerated. Apparently he (or his informant) confused desertions with deaths. Colonel Twiggs's command was composed of recruits and regular artillerymen. According to a con-

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body under Gen. Scott came on to Chicago, but were attacked with the same disease at Mackinaw and by the time they arrived at Chicago the contagion was general; and within thirty days, ninety more were carried to their graves. Gen. Scott stayed at Chicago about a month, and reached the Mississippi at Rock Island some time in August 1832; but not until the decisive affair at the Bad Axe had terminated the war.<sup>63</sup>

Upon the arrival of the troops at Prairie Du Chien the volunteers were ordered to Dixon, where they were discharged, and then each merry, brave man hastened as he pleased to his home, his kindred and friends. Black Hawk and his son, Naapope, Wishick, and the Prophet were sent down to Rock Island; and with them went many of the Winnebago chiefs to meet Keokuk and the

temporary newspaper report, of 208 recruits 30 died and 155 deserted; of 152 artillerymen 26 died and 20 deserted. For an account of the epidemic see M. M. Quaife, *Lake Michigan*, 142-45.

<sup>63</sup> General Scott reached Chicago on July 10, 1832, where, as noted, his command was prostrated for a time. On July 29 Scott and several of his staff pushed westward, having left orders for such of the troops as were able to march to follow on August 3. Scott reached Prairie du Chien on August 7 and on August 10 started down river by steamboat for Rock Island.

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other chiefs of the Sacs and Foxes. But when they arrived at Rock Island, the place appointed for a treaty, the cholera had broken out there, so that Gen. Scott and Gov. Reynolds with the prisoners and other chiefs fell down to Jefferson Barracks; where a treaty was made by which the Sacs and Foxes ceded to the United States a large tract of land bordering on the Mississippi, from the Desmoine to Turkey river in the territory of Iowa.<sup>64</sup> The prisoners named were held as hostages for the peaceable behavior of the hostile Indians. They were taken to Washington City, where they had an interview with President Jackson, to whom it is reported, Black Hawk said: "I am a man and you are another. We did not expect to conquer the white people. I took up the hatchet to revenge injuries which could no longer be borne. Had I borne them longer my people would have said, Black Hawk is a squaw; he is too old to be a chief. He is no Sac. This caused me to raise the war-whoop. I say no

<sup>64</sup> Two treaties, one with the Winnebago, the other with the Sauk and Foxes, were concluded opposite Rock Island by General Scott. The Winnebago were required to cede their land in southern Wisconsin and to remove to a new home in eastern Iowa. The Sauk were required to yield a fifty-mile-wide strip of eastern Iowa extending northward from the Missouri line to the vicinity of Prairie du Chien. This cession, known



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more of it. All is known to you. Keokuk once was here; you took him by the hand, and when he wanted to return you sent him back to his nation. Black Hawk expects that like Keokuk we will be permitted to return too." The President told him that when he was satisfied that all things would remain quiet they should return. He then took them by the hand and dismissed them. They were then sent to Fortress Monroe where Black Hawk became much attached to Col. Eustis, the commander at the fort. On parting with him Black Hawk said: "The memory of your friendship will remain until the Great Spirit says that it is time for Black Hawk to sing his death song;" then presenting him with a hunting-dress and some feathers of the white eagle, he said: "Accept these, my brother; I have given one like them to the White Beaver" (Gen. Atkinson.) "Accept them from Black Hawk, and when he is far away they will serve to remind you of him. May the Great Spirit bless you and your children. Farewell."<sup>65</sup>

ever since as the Black Hawk Purchase, prepared the way for the beginning of white settlement of the state of Iowa.

<sup>65</sup> Black Hawk's address to Colonel Eustis was both longer and more eloquent than the sentences here reproduced suggest. It is printed in full in Stevens, *The Black Hawk War*, 260.

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By order of the President, these Indian prisoners on the 4th day of June, 1833 were returned to their own country. They were taken to Baltimore, Philadelphia, New York, and other cities to show them the numbers and power of the white people. In all these places they attracted great attention; crowds everywhere collected to see them; and they even divided the attention and curiosity of the public with Gen. Jackson himself, who was then making the tour of the northern States.<sup>66</sup> Amongst others, the ladies universally sought their acquaintance; and one young lady (said to be respectable) in her admiration of Black Hawk's son actually kissed him before crowds of people. In return for their politeness and sympathy Black Hawk told them that they were "very pretty squaws."<sup>67</sup> They were returned by way of the New York canal and the northern lakes to their own people in the wilderness west of

<sup>66</sup> At Baltimore, where President Jackson and Black Hawk's party were both present at a theatrical performance at which the spectators are said to have devoted more attention to the red warrior than to his white opponent.

<sup>67</sup> Black Hawk's own statement is better; "The squaws presented us many handsome little presents that are said to be valuable. They were very kind, very good, and very pretty—for *pale faces*." *Life of Black Hawk* (The Lakeside Classics ed.), 173.

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the Mississippi. Black Hawk lived until the 3d of October, 1840, when he was gathered to his fathers at the age of eighty years, and was buried on the banks of the great river where he had spent his life, and which he had loved so much.<sup>68</sup>

<sup>68</sup> Governor Ford's statement is considerably inaccurate. Following his return from his eastern tour in 1833, Black Hawk lived in retirement, his rival, Keokuk, leader of the peace party among the Sauk, having been made responsible for his good behavior. During these years he acquired a certain degree of popularity with the whites, the tendency being to regard him somewhat as a fallen martyr. In his declining years he was cared for by his squaw, As-shaw-e-quaw or Singing Bird, and his daughter Nam-e-quaw, both of whom were fastidiously neat. He died at his lodge on the bank of the Des Moines River, October 3, 1838 and was buried nearby his cabin "in a suit of military clothes given to him when in Washington City by General Jackson, with hat, sword, gold epaulets, etc." A year later a certain Dr. Turner robbed the grave of its body and other contents, to place on public exhibition. This indecent act was repudiated by Governor Lucas of Iowa, who recovered the bones and ultimately placed them in the collection of the Burlington Geological and Historical Society. In 1855 they were consumed in the burning of the Society's building. As-shaw-e-quaw (Singing Bird) accompanied her tribe to the new reservation in Kansas, where she died at the age of 85 in the summer of 1846. Whether any descendants of Black Hawk still survive, or where, is unknown to the present writer. See Stevens, *The Black Hawk War*, 272-74; Dr. J. F. Snyder, "The Burial and Resurrection of Black Hawk," in Ill. State Hist. Soc. *Journal*, IV, 47-56.

## Chapter 6

THE INTERNAL IMPROVEMENT ERA

1833-1840

**A**FTER the Black Hawk war nothing of importance occurred until the session of the legislature of 1832-'3; which was distinguished for the first efforts seriously made to construct railroads and to impeach one of the judges. Several charters passed to incorporate railroad companies; and an effort was made to procure a charter for a railroad from Lake Michigan to the Illinois river, in place of a canal. The stock in none of these companies was ever taken. At this session also were first proposed in the Senate surveys for a railroad across the State through Springfield; and the central railroad from Peru to Cairo. George Forquer proposed the first and the last was proposed by Lieutenant Governor Jenkins, though the central railroad had before been suggested in a newspaper publication by Judge Breese, now Senator in Congress.

Numerously signed petitions from the people were sent up to this legislature praying the impeachment of Theophilus W. Smith,

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one of the justices of the Supreme Court, for oppressive conduct and misdemeanors in office. Witnesses were sent for and examined by the House of Representatives. Articles of impeachment were voted and sent up to the Senate charging the judge with selling a clerk's office of one of the circuit courts; with swearing out vexatious writs returnable before himself for the purpose of oppressing innocent men by holding them to bail, and then continuing the suits for several terms in a court of which he was judge; with imprisoning a Quaker for not taking off his hat in court; and with suspending a lawyer from practice for advising his client to apply for a change of venue to some other circuit where Judge Smith did not preside. A solemn trial was had before the Senate, which sat as a high court of impeachment, and which trial lasted for several weeks. The judge was prosecuted by a committee of managers from the House of Representatives of which Benjamin Mills was chairman. This highly-gifted man shone forth with uncommon brilliancy in three days summing up by way of conclusion on the side of the prosecution. At last the important day and hour came when a vote was to be taken, which was to be a sentence of doom to one of the magnates of the land or was to restore

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him to his high office and to the confidence of his friends. But during the progress of the trial Judge Smith procured some one to go into the Senate chamber regularly after every adjournment and gather up the scraps of paper on the desks of the senators upon which they had scribbled during the trial. From these much information was obtained as to the feelings of senators, their doubts and difficulties; and this enabled him and his counsel to direct their evidence and arguments to better advantage. The whole country looked with anxious expectation for the result of this trial. The vote being taken, it appeared that twelve of the senators concurred in believing him guilty of some of the specifications; ten were in favor of acquitting him; and four were excused from voting. It appears from the journals that fifteen senators, being a majority of two-thirds of the senators voting, had voted him guilty of one or the other of the specifications; but as twelve was the highest vote against him on any one specification he was acquitted. The House of Representatives by a two-thirds vote immediately passed a resolution to remove him by address, but the resolution failed in the Senate.

Afterwards other efforts were made to impeach judges for misconduct, but without

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success. So that latterly the legislature has refused even to make an effort to bring a judge to trial; knowing that whether guilty or innocent such an effort can have no other result than to increase the length and expenses of the session. This conviction has been so general among intelligent men that it has had a wonderful effect in creating a feeling in favor of limiting the term of service of the judges.

In August, 1834 another election came on for Governor, which resulted in the choice of Governor Duncan. Lieutenant Governor Kinney was again the opposition candidate. By this time Governor Duncan had become thoroughly estranged from the friends and administration of Gen. Jackson. But as he was absent in Congress when he became a candidate and never returned until after the election the rank and file of the Jackson party had no means of ascertaining his defection. It was known to the anti-Jackson men and to the leading men of the Jackson party. These last had not credit enough with their party friends to make them believe it, nor would they believe it until the publication of the new governor's inaugural message, which took bold and strong ground against the measures of Gen. Jackson's administration. About this time the anti-

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Jackson party began generally to take the name of Whigs; and attempted to base it, as did the whigs of the revolution, upon opposition to the executive power. It may be well here to give some further account of Governor Duncan. He was a native of Kentucky; and when quite young obtained an ensign's commission during the war of 1812. He was with Col. Croghan and his handful of men at the defence of Fort Stephenson against ten times their number of British and Indians. This brilliant affair was the means of distinguishing all the inferior officers engaged in it, and immortalized their commander.<sup>69</sup>

<sup>69</sup> The defense of Fort Stephenson at present Fremont, Ohio, August 1-2, 1813 was one of the brilliant minor conflicts of the War of 1812. General Procter advancing from Detroit upon Fort Meigs (opposite present Maumee City, Ohio) had failed in the effort to take that place by surprise. Over-persuaded by his Indian allies (one of whom was Chief Black Hawk) he sought to achieve a minor success by the capture of Fort Stephenson, a small stockade fort defended by about 150 men commanded by 21-year old Major George Croghan. The assault was to be made by the Indians charging on one side and the British simultaneously on the other. The British soldiers charged and were shot down. The Indians skulked and following the defeat of Procter deserted their allies to return to their homes. "I was now tired of being with them, our success being bad and having got no plunder," Black Hawk candidly explained in his subsequent *Life*.



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Governor Duncan was a man of genteel, affable, and manly deportment; with a person remarkably well adapted to win the esteem and affections of his fellow-citizens. He had not been long a citizen of this State before he was elected major-general of the militia and then a State Senator, where he distinguished himself in the session of 1824-'5 by being the author of the first common school law which was ever passed in this State. He was next elected to Congress, in which he continued as a member of the House of Representatives until he was elected governor in 1834. He was a man of but little education or knowledge except what he had picked up during his public services, and he had profited to the utmost by these advantages. He had a sound judgment, a firm confidence in his own convictions of right, and a moral courage in adhering to his convictions which is rarely met with.

A new legislature was elected at the same time with Governor Duncan, which met at Vandalia in Dec. 1834. At that time the State was in a very flourishing and prosperous condition. Population and wealth were pouring into it from all the old States. The great speculation in lands and town lots, shortly afterwards so rife, had made only a

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beginning, and that at Chicago alone. The people were industrious, and contented with the usual profits of labor, skill, and capital. They were free from debt; and the treasury of the State for once had become solvent, paying all demands in cash. If the prevalent speculations farther east had not commenced in Illinois, there were certainly very many persons who were anxious that they should begin; for at this session the legislature undertook to better the condition of public and private affairs by chartering a new State Bank with a capital of one million five hundred thousand dollars; and by reviving the charter of the bank at Shawneetown with a capital of three hundred thousand dollars, which had once broke, and had ceased to do business for twelve years. This was the beginning of all the bad legislation which followed in a few years, and which, as is well known, resulted in general ruin. At the commencement of this session no one could have anticipated the creation of a bank. The people with one accord, ever since the failure of the old State Bank of 1821, had looked upon local banks with disfavor. And the whigs at that time, contending as they were for a national bank, were thought to be hostile to banks of any other kind. But a large majority of them in both branches of the

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legislature voted for these bank charters. The United States Bank, vetoed by Gen. Jackson, was about to go out of existence. Mr. Woodbury, the United States secretary of the treasury, had encouraged the State and local banks to discount liberally with a view to supply the deficiency of currency anticipated upon the discontinuance of the United States Bank. From this, very many democrats inferred it to be the wish of Gen. Jackson's administration that State banks should be created where they did not exist; and with this view, these democrats were now in favor of the creation of banks. The intrigues practised to pass these charters are but imperfectly known to me. The charter for the State Bank was drawn by Judge Smith, and presented in the Senate by Conrad Will of Jackson county. It was in honor of him that the county of Will was subsequently named. He was not remarkable for anything except his good-humor and for having been long a member of the legislature. One member of the Senate who was bitterly hostile to all banks and was opposed to the Shawneetown Bank bill on constitutional grounds, as he declared from his place in the Senate, gave both the bank charters his hearty support in consideration of assistance in passing a law to levy a tax on land

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in the military tract for road purposes; and a member of the House supported them because the bank men made him a State's attorney.

It may be thought strange that an increase of taxes was so earnestly insisted on at that early day as to be made the subject of log-rolling in the creation of a bank. But it is to be remembered that the military lands were then owned principally by non-residents, who were unwilling to sell except at high prices. Every town built, farm made, road opened, bridge or school-house erected by the settlers in their vicinity added to the value of these lands at no expense to the non-resident. The people persuaded themselves that in improving their own farms they were putting money into the pockets of men who did nothing for the country except to skin it as fast as any hide grew on it. This tax was called for to make the non-resident owner contribute his share to the improvement of the country, and thus by burdening his land with taxes render him more willing to sell it. A very bad state of feeling existed towards the non-resident land-owners; the timber on their land was considered free plunder, to be cut and swept away by every comer; the owners brought suits for damage, but where the witnesses

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and jurors were all on one side justice was forced to go with them. The non-residents at last bethought themselves of employing and sending out ministers of the gospel to preach to the people against the sin of stealing, or *hooking* timber, as it was called. These preachers each had a circuit, or district of country assigned them to preach in, and were paid by the sermon; but I have never learned that the non-resident land-owners succeeded any better in protecting their property by the gospel than they did at law.

But to return to the banks. How many other converts were made in their favor by similar means must remain forever a secret. The State Bank charter was passed in the House of Representatives by a majority of one vote; so that it may be said that making of a State's attorney made a State Bank. The vote in the legislature was not a party vote; the banks were advocated and supported upon grounds of public utility and expediency; and like on the vote upon the internal improvement system, which followed at the next session, both whigs and democrats were earnestly invited to lay party feelings aside and all go, at least once, for the good of the country. Whenever I have heard this cry since I have always suspected that some great mischief was to be

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done for which no party desired to be responsible to the people. As majorities have the power, so it is their duty to carry on the government. The majority, as long as parties are necessary in a free government, ought never to divide and a portion of it join temporarily with the minority. It should always have the wisdom and courage to adopt all the measures necessary for good government. As a general thing, if the minority is anything more than a faction, if it has any principles and is true to them, it will rally an opposition to all that is done by the majority; and even if it is convinced that the measures of the majority are right, it is safest for the minority to compel the majority to take the undivided responsibility of government. By this means there will always be a party to expose the faults and blunders of our rulers; and the majority will be more careful what they do. But if the minority mixes itself up with the majority in the support of great measures which prove unfortunate for the country, neither party can expose the error without prostrating its own favorites. In this way many persons now prominent as politicians in this State have gone unwhipped of justice, who otherwise would have been consigned to an unfathomable oblivion. Certain it is that if

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this course had been observed in the enactment of the disastrous measures of this and the succeeding session of the legislature the dominant party would never have dared, as it did not afterwards dare, to risk the continuance of popular favor by supporting such a policy.

These banks were brought into existence in violation of the plainest principles of political economy. The State was young. There was no social or business organization upon any settled principles. A large crowd of strangers, as it were, had met here for adventure. Our most sagacious citizens were of this sort. We had no cities, no trade, no manufactures, and no punctuality in the payment of debts. We exported little or nothing. We had no surplus capital, and consequently the capital for banking must come from abroad. Some few then foresaw, what proved true, that it would be difficult to find directors and officers for two banks and numerous branches who, from their known integrity and financial knowledge would be entitled to the public confidence. The stockholders would (as they did) reside abroad in other States. They could not supervise the conduct of the directory in person. It was probable that many improvident loans would be made, and that the

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banks would be greatly troubled in making their collections.

It appears to me that banking cannot be successful in any country where the capital comes necessarily from abroad. The stockholders will be imposed on. They cannot conveniently meet in proper person to examine the banks, but must from year to year trust everything to agents, who, the whole world says, never manage other people's business as well as their own. Banking cannot succeed except in a state of settled, organized society, where honesty, truth, and fidelity are paramount; where the merchants and business men have all received a regular commercial training; where they have been educated from their youth upwards in the principles and practice of commercial honor and punctuality; where a bank protest, by breaking a man and closing his business, is more terrible than imprisonment; where the laws favor the collection of debts and the whole people are in the habit of prompt payment. In such a society honest and capable men may be readily found to manage banks and those who deal with them may be relied on for punctuality. I place great stress upon punctuality as the vital principle of safe banking. Because if the debtors of the bank do not pay the bank itself cannot.



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Nor can banking succeed in a State where the great body of the people, or any considerable party of them, are opposed to banks. Some project to repeal their charter or harass them will be started at every session of the legislature, and they will be strongly tempted to extend their favors farther than safety will warrant for the purpose of silencing opposition. In a community like Illinois there are scores of men in every county who, from their business, or rather want of business and want of punctuality, cannot with safety be favored by a bank. Yet such men are not destitute of political importance and influence, and can give the banks great trouble if a loan is refused. Favor to such persons is a fraud upon the stockholders and the community which credits the circulation. Nevertheless banks are driven to accommodate such persons, and, in fact, to absolute bribery for the purpose of buying their peace.

I aver without fear of contradiction that when these banks were chartered there was, in a manner, no surplus capital in the State; that the capital came mostly from abroad; that the stockholders resided at a distance and never had a meeting, in proper person, in this State; that we had no cities and but few large towns; that, in a manner, we exported nothing, but imported everything ex-

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cept meat and breadstuffs, and indeed much of these. We had no settled society. The business men were not generally men of commercial training and education. The laws did not favor the collection of debts nor did the public sentiment frown upon a want of punctuality.

After the internal improvement system was adopted at a subsequent session its friends increased the capital of these banks by making the State a stockholder in each. The capital of the State Bank was increased two millions of dollars, and the Illinois Bank one million four hundred thousand dollars.

The stock in the State Bank was readily and greedily taken, and the subscriptions greatly exceeded the amount allowed by the charter. Early in the spring of 1835 John Tillson, jr., then of Hillsboro;<sup>70</sup> Thomas Mather, then of Kaskaskia; Godfrey Gilman & Co., then of Alton; Theophilus W. Smith, then one of the judges of the Supreme Court; and Samuel Wiggins of Cincinnati made arrangements to obtain large sums of money in the eastern cities, principally in New York and Connecticut, to be

<sup>70</sup> Husband of Christiana Holmes Tillson, whose charming narrative, *A Woman's Story of Pioneer Illinois*, was published as the Lakeside Classics volume for 1919.

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invested in this stock. The charter required the advance of five dollars on each share subscribed and gave a preference to citizens of the State. It also provided against the undue influence of large stockholders, by reducing their (proportional) vote for directors. These provisions made it desirable not only that all the stock should be subscribed by citizens of the State, but also that all subscriptions should be small in amount. Accordingly each of these gentlemen, with a view of monopolizing the stock and controlling the bank, employed men all over the country to obtain powers of attorney from any and all who were willing to execute them authorizing one or the other of these persons to act as their agents in subscribing for stock, and to transfer and control it afterwards.

Many thousands of such subscriptions were made in the names of as many thousands who never dreamed of being bankers, and who do not know to this day that they were ever, apparently, the owners of bank stock.

The contest for the control of the bank was between Judge Smith on the one side and the other gentlemen named on the other. When the commissioners met to apportion the stock a motion was made that all subscriptions by or for the use of citizens of the

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State should be preferred to subscriptions made for the use of persons residing abroad, and requiring all holders of proxies to make oath as to the fact of residence or non-residence. This resolution was advocated by Judge Smith, who stood ready, as it was said, to swear that all the stock subscribed by him in his own name or by power of attorney, *bona fide* belonged to him and had been paid for by his own money. The other great operators could not make such an oath and consequently opposed the resolution, which was defeated. Tillson, Mather, Wiggins, and Godfrey Gilman & Co., combined against Smith. They obtained a controlling portion of the stock. Mather was made president and a directory was elected who were in the interest of the combination. The directors appointed were probably as good men for the trust as could have been found in the State.

As I have said, the stock in the State Bank having been taken it went into operation under the control of Thomas Mather and his friends in 1835. The Alton interest in it was very large. Godfrey Gilman & Co., merchants of Alton, had obtained control of a large part of the stock; enough, in case of division, to control the election of directors. To conciliate them the bank undertook to

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lend its aid to build up Alton in rivalry of St. Louis. At this time a strong desire was felt by many to create a commercial emporium in our own State; and it was hoped that Alton could be made such a place. As yet, however, nearly the whole trade of Illinois, Wisconsin, and of the Upper Mississippi was concentrated at St. Louis. The little pork, beef, wheat, flour, and such other articles as the country afforded for export were sent to St. Louis to be shipped. All the lead of the upper and lower lead-mines was shipped from or on account of the merchants of St. Louis. Exchange on the east to any amount could only be purchased at St. Louis; and many of the smaller merchants all over the country went to St. Louis to purchase their assortments.

The State Bank undertook to break up this course of things and divert these advantages to Alton. Godfrey Gilman & Co. were supplied with about \$800,000 to begin on the lead business. By their agents they made heavy purchases of lead and had it shipped to Alton. Stone, Manning & Co., another Alton firm, were furnished with several hundred thousand dollars with which to operate in produce; and Sloo & Co. obtained large loans for the same purpose. The design of the parties, of course, was not accom-

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plished. Instead of building up Alton, enriching its merchants, and giving the bank a monopoly of exchanges on the east these measures resulted in crushing Alton, annihilating its merchants, and breaking the bank. This result ought to have been foreseen. The St. Louis merchants had more capital in business than ten such banks and twenty such cities as Alton. They were intimately connected, either as owners or agents, in all the steamboats running on the Illinois and Upper Mississippi. These boats required an up-river as well as a down-river freight. The up-river freight could only be got in St. Louis and would not be furnished to boats known to be engaged in the Alton conspiracy. The merchants in Galena and throughout the Upper Mississippi and Illinois country were connected in trade with the St. Louis merchants, many of them owing balances not convenient to be paid and enjoying standing credits which could not be dispensed with.

The Alton merchants, however, commenced operations on the moneys furnished by the bank, and they were so anxious to obtain a monopoly of purchases that prices rose immediately. The price of lead rose in a short time from \$2 75 to \$4 25 per hundred. This did not appear to be the best way

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of monopolizing the lead trade. Therefore, Godfrey Gilman & Co. furnished their agent in Galena some two or three hundred thousand dollars to purchase lead-mines and smelting establishments. This agent was a manly, frank, honorable, and honest man, but wild and reckless in the extreme. He bought all the mines and smelting establishments he could get and some lots in Galena. He scattered money with a profuse and princely hand. The effect was apparent in a short time. Property in Galena rose in a few months more than two thousand per cent. While such great exertions were making to divert the lead trade to Alton, and while such lavish expenditures at Galena raised its price there, they could not keep up the price in the eastern cities, its destined market. The lead was kept in store in New York a year or two in hopes the price would rise. The owners were at last compelled to sell at a great sacrifice and the operation ruined all concerned. Stone, Manning & Co. and Sloo & Co. were equally unfortunate.

I think the bank must have lost by all its Alton operations near a million of dollars, and was nearly insolvent before the end of the second year of its existence, though the fact was unknown to the people. This is an

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example of the danger of endeavoring to force trade, wholly against nature, out of its accustomed channels. Let it be a warning also to all banks not to engage, either by themselves or by their agents, in the ordinary business of trade and speculation.

The democrats helped to make the banks but the whigs controlled the most money, which gave them the control of the banks. The president and a large majority of the directors and other officers were whigs; just enough of democrats had been appointed to avoid the appearance of proscription. Thus the democrats were defeated at least once in the contest for the "spoils," and probably it will always be thus when long purses are to decide who are the "victors."

When the State Bank was created its projectors, to make it popular, attached to it a provision for a real estate fund to the amount of a million of dollars, to be lent out on mortgages of land. This was intended to conciliate the farmers, as thereby the bank would become a sort of farmers' bank, out of which the farmers could obtain money on a mortgage of their farms. But this was really the worst feature in the whole project. At this day it will be generally acknowledged that no farmer ought ever to borrow money to carry on his farm. The only mode in which



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a farmer can be benefited by a bank is for merchants and traders to borrow money and pay it out to farmers for their produce. But very many farmers did borrow and very few of them were able to pay. Their farms were taken away from them; and so this popular lure to the farmers operated like setting out huge steel traps to catch their plantations.

The fact that the presidents and cashiers of the principal bank and branches and a very majority of the directors and other officers were whigs was sufficient to dub the bank a whig concern. It was viewed with great jealousy by the democrats. Judge Smith headed an opposition to it; and although he had written the charter and urged its passage upon his friends in the legislature, he did not hesitate to declare it unconstitutional. He was joined by Judge McRoberts, Receiver of public moneys at Danville, and many other leaders of the party. The bank made an effort to get the deposits of public money, but it had become so odious to the democrats and such representations had been made at Washington that the Secretary of the Treasury refused its application. The consequence was that a continual run was made upon it for specie to enter Government land. To avoid this continual drain of specie the bank adopted the expedient of

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sending its notes, purporting to have been issued at one branch, to be loaned at another, and by this means keeping its circulation at a distance from the place of payment.

Here I will leave the subject of the bank for the present and notice another important matter acted upon by the legislature at the session of 1834-'5. This was the Illinois and Michigan canal. As early as 1821 the legislature appropriated \$10,000 for a survey of the route of this canal. Judge Smith and others were appointed commissioners, and they again appointed René Paul of St. Louis and Justus Post, now of Alexander county, as engineers. A survey of the route was made. The work was reported eminently practicable, and the cost of construction was estimated at a sum near six or seven hundred thousand dollars. In 1826 Congress donated to the State about 300,000 acres of land on the route of the canal in aid of the work. In 1825 a law was passed incorporating a company to make the canal. The stock was never subscribed. And in 1828 another law was passed providing for the sale of lots and lands, for the appointment of a board of canal commissioners, and for the commencement of the work. Nothing was done under this law except the sale of some land and lots and a new survey of the route and estimate

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of costs by the new engineer, Mr. Bucklin.<sup>71</sup> The estimate this time ran into millions instead of thousands but was yet too low, as experience has subsequently demonstrated. After that time there were various projects of giving the work to a company or of making a railroad instead of a canal. But nothing effectual was proposed to be done until the session of 1834-'5.

At this session of the legislature George Forquer, a senator for Sangamon county, as chairman of the committee on internal improvements prepared and made an elaborate report in favor of a loan of half a million of dollars on the credit of the State, to begin with. I call the report an elaborate one because it is so: perhaps more able than any

<sup>71</sup> Something had been done, however, of vast import to the future of Illinois and the nation. In 1827 Congress had passed a law granting to the state the alternate sections of land in a 5-mile strip along either side of the canal for the purpose of aiding in its construction. In 1829 the State Legislature responded to this overture by creating a Canal Commission of three members, with appropriate powers to carry out the work in view. This commission proceeded to lay out the towns of Chicago and Ottawa at either end of the proposed canal, and in the summer of 1830 the lots at Chicago were offered at public sale. The town plat was filed for record August 4, 1830, which marks, as well as any, the real birth date of the city of Chicago. The auction of town lots was held in September, 1830.

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similar document submitted to any of the western legislatures. It contains evidence of vast research and abundance of facts and probable conjectures, and is expressed in language at once pleasing, brilliant, and attractive. The report was accompanied by a bill authorizing a loan on the credit of the State, which passed the Senate and would certainly have passed the legislature but for the fact that the governor in his general message, and also in a special message, asserted with confidence that the money could be obtained upon a pledge of the canal lands alone. Amended in this particular, the bill passed, and has served as a model for all the subsequent laws on that subject. The report was justly liable to one criticism. The cost was estimated too low. The Senate ordered 5,000 copies of it to be published for the information of the people. This was the first efficient movement in favor of the canal. The loan under this law failed; but at a special session in 1835 a law was introduced by James M. Strode, then a senator representing all the country including and north of Peoria, authorizing a loan of half a million of dollars on the credit of the State. This loan was negotiated by Governor Duncan in 1836 and with this money a commencement was made on the canal in the month of June

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of that year. William F. Thornton, Gurdon S. Hubbard,<sup>72</sup> and William B. Archer, all whigs, were appointed the first canal commissioners under this law.

In the spring and summer of 1836 the great land and town lot speculation of those times had fairly reached and spread over Illinois. It commenced in this State first at Chicago, and was the means of building up that place in a year or two from a village of a few houses to a city of several thousand inhabitants. The story of the sudden fortunes made there excited at first wonder and amazement, next a gambling spirit of adventure, and lastly an all-absorbing desire for sudden and splendid wealth. Chicago had been for some time only one great town market. The plats of towns for a hundred miles around were carried there to be disposed of at auction. The eastern people had caught the mania. Every vessel coming west was loaded with them, their money and means, bound for Chicago, the great fairy land of fortunes. But as enough did not come to satisfy the insatiable greediness of the Chicago sharpers and speculators they frequently consigned their wares to eastern

<sup>72</sup> Hubbard's old-age narrative of his years as a fur trader, chiefly in Illinois, from 1818 to 1830 was published as the Lakeside Classics volume for 1911.

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markets. Thus, a vessel would be freighted with land and town lots for the New York and Boston markets at less cost than a barrel of flour. In fact, lands and town lots were the staple of the country, and were the only articles of export.

The example of Chicago was contagious. It spread to all the towns and villages of the State. New towns were laid out in every direction. The number of towns multiplied so rapidly that it was waggishly remarked by many people that the whole country was likely to be laid out into towns; and that no land would be left for farming purposes. The judgments of all our business men were unsettled and their minds occupied only by the one idea, the all-absorbing desire of jumping into a fortune. As all had bought more town lots and lands than many of them could pay for, and more than any of them could sell, it was supposed that if the country could be rapidly settled, its resources developed, and wealth invited from abroad that all the towns then of any note would soon become cities, and that the other towns, laid out only for speculation and then without inhabitants, would immediately become thriving and populous villages, the wealth of all would be increased, and the town lot market would be rendered stable and secure.

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With a view to such a consummation a system of internal improvements began to be agitated in the summer and fall of 1836. It was argued that Illinois had all the natural advantages which constitute a great State; a rich soil, variety of climate, and great extent of territory. It only wanted inhabitants and enterprise. These would be invited by a system of improvements; timber would be carried by railroad to fence the prairies; and the products of the prairies by the same means would be brought to market. The people began to hold public meetings and pass resolutions on the subject; and before the next winter most of the counties had appointed delegates to an internal improvement convention to be assembled at the seat of government. This body of delegates assembled at the same time with the legislature of 1836-'7. It devised and recommended to the legislature a system of internal improvements; the chief feature of which was "that it should be commensurate with the wants of the people." Thus the general desire of sudden and unwarrantable gain; a dissatisfaction with the slow but sure profits of industry and lawful commerce, produced a general frenzy. Speculation was the order of the day and every possible means was hastily and greedily adopted to give an arti-

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ficial value to property. In accomplishing this object as to the manner and means, our people surrendered their judgments to the dictates of a wild imagination. No scheme was so extravagant as not to appear plausible to some. The most wild calculations were made of the advantages of a system of internal improvements; of the resources of the State to meet all expenditures; and of our final ability to pay all indebtedness without taxation. Mere possibilities appeared highly probable; and probability wore the livery of certainty itself.

I have said that our people were moved by these influences; but only those are meant who attended these meetings and aided in sending and instructing delegates to the internal improvement convention. It is not true that the whole people were thus moved or thus acted. These meetings were generally held in the towns, and mostly attended by the town people. The great body of the people in the country treated the subject with indifference. But this silence was taken for consent. The voice of these meetings was considered as the voice of the people, and the voice of the people as "the voice of God," and many of the members of the legislature felt themselves instructed by it to vote for some system of internal improvements.



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The legislature at this session took up the subject in full earnest; and in the course of the winter passed a system providing for railroads from Galena to the mouth of the Ohio; from Alton to Shawneetown; from Alton to Mount Carmel; from Alton to the eastern boundary of the State, in the direction of Terre Haute; from Quincy on the Mississippi through Springfield to the Wabash; from Bloomington to Pekin; and from Peoria to Warsaw; including in the whole about 1,300 miles of road. It also provided for the improvement of the navigation of the Kaskaskia, Illinois, Great and Little Wabash, and Rock rivers. And besides this two hundred thousand dollars were to be distributed amongst those counties through which no roads or improvements were to be made. The legislature voted \$8,000,000 to the system, which was to be raised by a loan.

As a part of the system also, the canal from Chicago to Peru was to be prosecuted to completion and a further loan of four millions of dollars was authorized for that purpose. The legislature had already established a board of canal commissioners. They now established a board of fund commissioners to negotiate the new loans for the railroads; and a board of commissioners of

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public works, one for each judicial circuit, then seven in number, to superintend construction. And as a crowning act of folly it was provided that the work should commence simultaneously on all the roads at each end and from the crossings of all the rivers.

It is very obvious now that great errors were committed. It was utterly improbable that the great number of public officers and agents for the faithful prosecution of so extensive and cumbrous a system could be found in the State; or if found, it was less likely that the best material would be selected. But the legislature went on to create a multitude of officers for a multitude of men who were all to be engaged in the expenditure of money and superintending improvements, as if there were a hundred De Witt Clintons in the State; but there is no limit to the conceit of aspiring ignorance. Indeed, our past experience goes far to show that it has not yet been safe for Illinois, as a government, to have any very complicated or extensive interests to manage, for the want of men to manage them; and for the want of an enlightened public will to sustain able and faithful public servants and to hold the unfaithful to a just and strict account. The legislature were to elect the members of the

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board of public works, and these offices were very near being filled by the election of members of the legislature. It is true that the constitution made them ineligible by providing that no member should be appointed to an office created during the term for which he had been elected. Governor Duncan announced his determination not to commission members of the legislature, if elected, to these offices. A law was attempted to be passed dispensing with a commission from the governor although the constitution provides that all civil officers shall be commissioned by him. It had been too much the case in the Illinois legislature that when a majority were set upon accomplishing their purpose no constitutional barriers were sufficient to restrain them. Ingenious reasons were never wanting to satisfy the consciences of the more timid; so that many regretted that there was any constitution at all, by the violation of which members were forced to commit perjury to accomplish their utilitarian views. A vigorous effort was made in the two houses to elect members to these offices; but not quite a majority could be obtained in favor of it. The joint meeting was adjourned for one day, and on the next persons were elected who were not members of the legislature.

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No previous survey or estimate had been made, either of the routes, the costs of the works, or the amount of business to be done on them. The arguments in favor of the system were of a character most difficult to refute, composed as they were partly of fact but mostly of prediction. In this way I have heard it proved to general satisfaction by an ingenious orator in the lobby that the State could well afford to borrow a hundred millions of dollars and expend it in making internal improvements. The orators in favor of the system all aimed to argue their way logically, and the end has showed that the counsels of a sound judgment guided by common sense jumping at conclusions are to be preferred to ingenious speculation. Nothing is more delusive in public affairs than a series of ingenious reasonings. In this way John C. Calhoun in his report on the Memorial of the Memphis Convention proved conclusively that it is constitutional to build a single pier on the lakes but it would be unconstitutional to build two of them close together and parallel, for then they would be a harbor. In the same manner he proved it to be constitutional to improve the channels of the great Western rivers, but utterly unconstitutional to improve them near shore so that boats could have a landing; and in

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the same manner he proved that it was constitutional to improve the navigation of rivers common to three or more States but unconstitutional to improve a river running through a single State, although it might be the channel of trade for half the nation.<sup>73</sup>

The means used in the legislature to pass the system deserve some notice for the instruction of posterity. First, a large portion of the people were interested in the success of the canal, which was threatened if other sections of the State were denied the improvements demanded by them; and thus the friends of the canal were forced to log-roll for that work by supporting others which

<sup>73</sup> Possibly Governor Ford is guilty of some slight exaggeration in his remarks upon Calhoun's reasoning; but the fine-spun character of the latter frequently led the great pro-slavery champion into positions scarcely less remarkable than the ones Governor Ford ridicules. For Calhoun's *Report* see 29th Cong. 1 Sess., Sen. Docs. Vol. VIII, No. 410. For an account of the Southwestern Convention held at Memphis beginning Nov. 12, 1845 which produced it, see St. George L. Sioussat, "Memphis as a Gateway to the West," in *Tennessee Historical Magazine*, Vol. III (June, 1917), 77-114. Calhoun himself regarded his *Report* as the most stringent exposition of the lack of power in the Federal Government to undertake internal improvements ever uttered. The answer of the North and the West to such a restrictive view was the calling of the River and Harbor Convention at Chicago in 1847.

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were to be ruinous to the country. Roads and improvements were proposed everywhere to enlist every section of the State. Three or four efforts were made to pass a smaller system, and when defeated the bill would be amended by the addition of other roads until a majority was obtained for it. Those counties which could not be thus accommodated were to share in the fund of two hundred thousand dollars. Three roads were appointed to terminate at Alton before the Alton interest would agree to the system. The seat of government was to be removed to Springfield. Sangamon county, in which Springfield is situated, was then represented by two senators and seven representatives, called "the long nine," all whigs but one. Amongst them were some dexterous jugglers and managers in politics, whose whole object was to obtain the seat of government for Springfield.<sup>74</sup> This delegation from the beginning of the session threw itself as a unit in support of or opposition to every local measure of interest, but never without a bargain for votes in return on the seat of government question. Most of the other counties were small, having but one representative, and many of them with but one for a whole district; and this gave Sangamon

<sup>74</sup> One of the "jugglers" was Abraham Lincoln.

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county a decided preponderance in the log-rolling system of those days. It is worthy of examination whether any just and equal legislation can ever be sustained where some of the counties are great and powerful and others feeble. But by such means "the long nine" rolled along like a snow-ball, gathering accessions of strength at every turn until they swelled up a considerable party for Springfield, which party they managed to take almost as a unit in favor of the internal improvement system, in return for which the active supporters of that system were to vote for Springfield to be the seat of government. Thus it was made to cost the State about six millions of dollars to remove the seat of government from Vandalia to Springfield, half which sum would have purchased all the real estate in that town at three prices; and thus by log-rolling on the canal measure, by multiplying railroads, by terminating three railroads at Alton that Alton might become a great city in opposition to St. Louis, by distributing money to some of the counties to be wasted by the county commissioners and by giving the seat of government to Springfield was the whole State bought up and bribed to approve the most senseless and disastrous policy which ever crippled the energies of a growing country.

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The examples of Pennsylvania and Indiana in adopting a similar system were powerfully urged by the deluded demagogues of this legislature to delude their fellow members and to quiet the fears of the people. Now was developed for the first time a principle of government, or rather a destiny for government to aim at, which was to keep pace with the grand ideas which had seized upon the people of other States,—ideas having in view not the improvement of individual man by increasing his knowledge and power of thought, but merely by enriching his pockets.

It appears by a report of a committee of the House of Representatives that it was believed that the people were expecting and anxious for a system of internal improvements; that the system would be of great utility in multiplying population and wealth; that such a system was entirely practicable; that the cost of it could be easily guessed at without previous surveys; that even small sums could be profitably expended upon the rivers; that estimates for the railroads could be ascertained by analogy and comparison with similar works in other States; that the system would cause a great deal of land to be entered and increase the land tax, a part of which could go to form a fund to pay in-



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terest; that the tolls on parts of the roads as fast as they were completed both ways from the crossings of rivers and from considerable towns would yield the interest on their cost; that the water-power made by improvements on the rivers would rent for a large sum; that lands were to be entered along all the roads by the State, which were to be re-sold for a higher price; that eminent financiers were to be elected fund commissioners, whose high standing and eminent qualifications were to reflect credit upon the State and add to its resources; and with all these resources at command, that no great financial skill would be required in any future legislature to provide for paying the interest on the loans and carry the system to completion without burdening the people. Such were the ingenious devices of this legislature, in all of which they were totally mistaken, as experience afterwards proved. Not a solitary one of these propositions has borne the test of experiment; but all have resulted just contrary to what was predicted. I will mention also that it was confidently believed, in and out of the legislature, that the State stock to be issued would command a premium of 10 per cent, which would go to swell the interest fund; that the stock in the banks would yield enough to pay interest on

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the bank bonds and a surplus besides; and that in fact the system was to be self-acting and self-sustaining; to provide for its own liquidation and payment and enrich the State treasury into the bargain.

I mention these calculations, all of which so signally failed; all of which were once so confidently believed but which now appear so absurd and ridiculous, as a warning to all theoretical, visionary schemers in public affairs; and against the counsels of all impracticable, dreaming politicians. Let posterity remember it and engrave it upon their hearts as a lesson of wisdom that splendid abilities and the power of ingenious speculation are not statesmanship; but they may lead a country to the verge of ruin unless guided by solid judgment and plain common sense; by which they are rarely accompanied.

As no system could be passed except by log-rolling, and without providing for a simultaneous expenditure of money all over the State, it followed that none of the roads were ever completed. Detached parcels of them were graded on every road, the excavations and embankments of which will long remain as a memorial of the blighting-scathe done by this legislature; but nothing was finished except the road from the Illi-

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nois river to Springfield, which cost about \$1,000,000 and which now is not worth one hundred thousand dollars.

I will here mention that this internal improvement law was returned by the Governor and council of revision with their objections, but afterwards passed both houses by the constitutional majority. It is a singular fact that all the foolish and ruinous measures which ever passed an Illinois legislature would have been vetoed by the governor for the time being if he had possessed the constitutional power. The old State Bank of 1821 which ruined the public finances and demoralized the people; and by which the State lost in various ways more than its entire capital, would have been vetoed by Governor Bond. The laws creating the late banks and increasing their capital by making the State a stockholder to a large amount, and the internal improvement system, would have been vetoed by Governor Duncan. In all these cases the veto power would have been highly beneficial. I am aware that demagogues and flatterers of the people have so far imitated the supple parasites in the courts of Monarchs, whose maxim is that the "king can do no wrong," as to steal the compliment and apply it to the people. They are contending everywhere that the people

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never err. Without disputing the infallibility of the people, we know that their representatives can and have erred; and do err most grievously. A qualified veto power in the executive is a wholesome corrective. It can only operate to delay a good and popular measure; for if the people desire it with any unanimity they will select representatives who will pass it notwithstanding the veto.

As I have already said, the capital stock of the State Bank was increased this session in the whole to the amount of \$3,100,000 by making the State a stockholder. The stock of the Shawneetown Bank was increased to \$1,700,000 in all. The Fund Commissioners were authorized to subscribe for this increase of stock, amounting to \$3,400,000, a portion of which was to be paid for from the surplus revenues of the United States and the residue by a sale of State bonds. And although the State was to have the majority of stock in both banks, yet were the private stockholders to have a majority of the directors. The banks were made the fiscal agents of the canal and railroad funds; and upon the whole it was a mere chance that the State did not lose its entire capital thus invested. It was supposed that the State bonds would sell for a premium of about 10 per cent, which

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would go to swell the interest fund; and that the dividends upon stock would not only pay the interest on the bonds but furnish a large surplus to be carried, likewise, to the interest fund. However, when these bonds were offered in market they could not be sold even at par. The banks were accommodating, and rather than the speculation should fail they agreed to take the bonds at par as cash, amounting to \$2,665,000. The Bank of Illinois sold their lot of \$900,000, but the \$1,765,000 in bonds disposed of to the State Bank, it is alleged, were never sold. They were, however, used as bank capital and the bank expanded its business accordingly.

In the spring of 1837 the banks throughout the United States suspended specie payments. The banks of Illinois followed the example of others. I will not dwell upon the causes of this movement as they belong more to the history of the whole country than to that of a single State. The charter of the State Bank contained a provision that if the institution refused specie payments for sixty days together it should forfeit its charter. These banks were made the fiscal agents for the canal and the railroads. A large sum of public money was deposited in them and if they went down they would carry the canal and the internal improvement system in

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their train of ruin. Two of the canal commissioners visited Governor Duncan and requested a call of the legislature to avert the evil. A special session was called in July. The governor's message made a statement of the matter, without any direct recommendation to legalize the suspension, and did recommend a repeal or classification of the internal improvement system. The legislature did legalize the suspension of specie payments but refused to touch the subject of internal improvements. It was plain that nothing could be done to arrest the evil for near two years more. In the meantime all considerate persons hoped that the public insanity would subside, that the people would wake up to reflection and see the utter absurdity of the public policy.

They were disappointed. Loan after loan was effected, both in Europe and America. The United States Bank, then dealing in stocks, by which it was ruined, gave important aid to our negotiations. This bank itself took some of the loans and lent its great credit to effect others. The loans made in America were at par, but those in Europe were at 9 per cent discount. The banker paid 90 cents on the dollar to the State and, as is alleged, 1 per cent to the Fund Commissioners for brokerage. A large contract

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was made for railroad iron at an extravagant price. The work continued to be prosecuted upon all the improvements. A new governor and new legislature were to be elected in August, 1838, from whose second sober thoughts relief was to be expected, unless the State should be irretrievably ruined in the meantime.

At this election the question of the continuance of the railroad system was but feebly made. Cyrus Edwards, the whig candidate for governor, declared himself to be decidedly in favor of it. Thomas Carlin, the democratic candidate, was charged with secret hostility to it but never so sufficiently explained his views during the pendency of the election that he could be charged with entertaining an opinion one way or the other. A large majority of the legislature was for the system. And although Mr. Carlin was elected governor, and most probably was opposed to it, yet, finding that nothing could be done with such a legislature, he was at the first session forced to keep silence.

This legislature not only refused to repeal or modify the system but added other works to it requiring an additional expenditure of about \$800,000. Thus was presented the spectacle of a whole people becoming infatuated, adopting a most ruinous policy, and

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continuing it for three years; in fact, until the whole scheme tumbled about their ears and brought down the State to that ruin which all cool, reflecting men saw from the first was inevitable.

A special session was again called in 1838-'9. This session repealed the system and provided for winding it up. By this time it became apparent that no more loans could be obtained at par. The Fund Commissioner and those appointed to sell canal bonds had adopted some ingenious expedients for raising money, all of which most signally failed. Upon the creation of the New York free banking system a demand was at once created for State stocks to set the swindling institutions under it in motion. The law required a deposit of State stocks of double the value of circulation and debt, together with a certain per centage in specie. Our commissioner enabled several of these swindling banks to start by advancing Illinois bonds on a credit, in hopes that when the banks came into repute they would receive payment in their notes. These banks all failed, I believe, in a short time, and the amount they received was nearly a total loss. Other State bonds to a large amount were left in various places on deposit, for sale, and others again freely sold on a credit, although



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the law required ready payment in cash at par. A large amount was left with Wright & Co. of London for sale. Some half a million was sold and then Wright & Co. failed, with the money and the residue of the bonds in their hands.

The residue of the bonds was returned but the State was obliged to come in as a creditor and share with others in their estate for the money received. The State received a few shillings on the pound.

I do not attempt to write a history of all the bungling, illegal and ill-advised negotiations of our commissioners. I mean to say enough to show that at the special session in 1838-'9 the legislature was compelled by inevitable necessity to stop the system. And in fact that nearly the whole people obstinately shut their eyes to the perception of plain truths until these truths burst upon them terrible as an army with banners.

It may be supposed that this revulsion, this disappointment of cherished hopes, came upon the people with a crushing effect. It did so. Nevertheless there was but little discontent. The people looked one way and another with surprise, and were astonished at their own folly. They looked about for some one to blame but there was no one. All were equally to be condemned.

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It was a maxim with many politicians just to keep along even with the humor of the people, right or wrong. Any measure was to be considered right which was popular for the time being. The politician felt assured that if he supported a bad measure when it was popular or opposed a good one when it was unpopular he would never be called to account for it by the people. It was believed that the people never blame any one for misleading them; for it was thought that they had too good a conceit of themselves to suspect or admit that they could be misled. A misleader of the people, therefore, thought himself safe if he could give present popularity to his measures. In fact it is true that a public man will scarcely ever be forgiven for being right when the people are wrong. New contests, forever occurring, will make the people forget the cause of their resentment; but their resentment itself or rather a prejudice which it sinks into will be remembered and felt when the cause of it is forgotten. It is the perfect knowledge of this fact by politicians which makes so many of them ready to prostitute their better judgments to catch the popular breeze; and so it will always be until the people have the capacity and the will to look into their affairs more carefully. Any reform in this particu-

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lar must begin with the people themselves and not with politicians. Reformation must work upwards from the people through the government, and not from the politicians down. For I still insist that as a general thing the government will be a type of the people. The following are the ayes and nays on the passage of the internal improvement system in the House of Representatives. The names of prominent men are given in full. Those in favor of it were: Able, Aldrich, Atwater, Ball, Barnett, Charles, Courtright, Craig, *John Crain*, *John Dougherty*, *John Dawson*, *Stephen A. Douglas*, Dunbar, Edmondson, *Ninian W. Edwards*, *William F. Elkin*, *Augustus C. French*, Galbreath, Green of Clay, Green of St. Clair, Hankins, *William W. Happy*, Hinshaw, *John Hogan*, Lagow, Leary, *Abram Lincoln*, *U. F. Linder*, Logan, Lyons, McCormack, *John A. McClernand*, Madden, Morris, Minor, *John Moore*, Moore of St. Clair, Morton, Murphy of Perry, Murphy of Vermilion, *Joseph Naper*, *James H. Ralston*, Rawalt, Reddick, *James Shields*, *Robert Smith*, Smith of Wabash, *Dan Stone*, Stuntz, Turley, Turney, Voris, Walker of Cook, Walker of Morgan, Watkins, Wilson, Wood, and *James Semple*, the Speaker. Those opposed to it were: Bently, *Milton Carpenter*, Cullom, Davis, Dairman, Dollins, Du-

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bois, English, Enloe, *John F. Hardin*, *John Harris*, Lane, McCown, *William McMurtry*, *William A. Minshall*, Adam, O'Neil, Pace, Paullen, *William A. Richardson*, Stuart, Thompson, Wheeler, Whitten, and Witt. And *John Dement* and *William A. Minshall* afterwards voted to concur in the amendments of the senate.

Of those who voted for the measure on the final passage, or by concurring with the senate, Messrs. Crain, Dougherty, Dawson, Edwards, Elkin, Happy, Hogan, Naper, and Minshall have been since often elected or appointed to other offices, and are yet all of them popular men. Hogan was appointed Commissioner of the Board of Public Works and run by his party for Congress; Moore was elected to the Senate and to be Lieut. Governor, and afterwards Lieut.-Colonel in the Mexican war; Stone and Ralston were elected to be Circuit Judges—Ralston afterwards to be a Senator, and then run by his party for Congress; Linder has been Attorney-General and Member of the Legislature; Dement has been twice appointed Receiver of Public Moneys; Semple, to be Chargé des Affaires at New Grenada, Judge of the Supreme Court, and Senator in Congress; Shields, to be Auditor, Judge of the Supreme Court, Commissioner of the General Land

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office, and Brigadier-General in the Mexican war; French was elected Governor in August, 1846; Lincoln was several times elected to the Legislature and finally to Congress; and Douglas, Smith, and McClernand have been three times elected to Congress, and Douglas to the United States Senate. Being all of them spared monuments of popular wrath, evincing how safe it is to a politician but how disastrous it may be to the country, to keep along with the present fervor of the people.\*

But the only hope now was that the State might not be able to borrow the money. This was soon taken away; for the fund commissioners succeeded in negotiating a loan in the summer of 1837; and before the end of the year the work had begun at many points on the railroads. The whole State was excited to the highest pitch of frenzy and expectation. Money was as plenty as dirt. Industry instead of being stimulated actually languished. We exported nothing;

\* These gentlemen have been excused upon the ground that they were instructed to vote as they did, and that they had every right to believe that they were truly reflecting the will of their constituents. But it appears to me that members ought to resign such small offices, to sacrifice a petty ambition, rather than become the willing tools of a deluded people to bring so much calamity upon the country.

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and everything from abroad was paid for by the borrowed money expended amongst us. And if our creditors have found us slow of payment they have been justly punished for lending us the money. In doing so they disappointed the only hope of the cool, reflecting men of the State.

At the same time the work was going on upon the canal. The board of canal commissioners, in pursuance of law, projected a most magnificent work and completed portions of it in a manner most creditable to the engineers and contractors. But here again the spirit of over-calculation did infinite mischief. The United States in 1826 had donated about 300,000 acres of land to this work. This land was estimated at the most exaggerated price. It was thought that its value was illimitable. As the fund appeared to be so great a very large and deep canal was projected, to be fed by the waters of Lake Michigan. Governor Duncan had recommended the commencement of a steamboat canal, which according to our present experience would have cost some \$20,000,000, as a means of improving the navigation of the Illinois river and rendering its shores more healthy; and confidently relied upon Congress for additional appropriations of money or land to complete it. Such a rec-

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ommendation from a distinguished source bewildered and depraved the public intellect and contributed in no small degree to form the inflated and bombastic notions which led to the extravagances of the internal improvement system. The legislature refused to sanction a steamboat canal; but nevertheless projected the work after a style of grandeur far beyond the means of the State. Several magnificent canal basins and a steamboat canal and basin at the termination on the Illinois were provided for. To complete the whole about \$9,000,000 would be required. This sum, however, was regarded as a mere nothing when compared with the then inflated ideas of the value of the canal lands. At the session of 1837 there were already great complaints of mismanagement on the part of the banks; committees were appointed to examine them but the examination resulted in no discovery of any importance. The only thing worthy to be remembered concerning it is that one of the committee to examine the Shawneetown Bank, after his return, being asked what discoveries he had made, verbally reported that he had seen plenty of good liquor in the bank and sugar to sweeten it with.

But to return to the internal improvement system. The fund commissioners by taking

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from the principal sums borrowed managed to pay interest on the State debt until the meeting of the legislature in 1840. During the interim between the fall of the system and this meeting there was a terrible contest between the whigs and the democrats for a President of the United States. Gen. Harrison was the candidate on one side and Mr. Van Buren on the other. Nothing was heard in this contest but United States Bank, sub-treasury, tariff, free trade, patriots, friends of the country, spoilsmen, gold spoons, English carriages, extravagance, defalcations, petticoat-heroes, aristocrats, coons, log-cabins, and hard cider. Not one word of our local affairs. Thus was substituted in the public mind one species of insanity for another which had worn out; and thus it was that both parties cheated themselves into a forgetfulness of the dreadful condition of the State. For previous to the explosion of the internal improvement system a debt had been contracted for that and the canal of \$14,237,348, not counting the debt to the school fund or for deposits of surplus revenues; all of which was to be paid by a population of 478,929 according to the State census of 1840.

And here is a proper place for some further account of political parties. In their origin



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such parties seem to be founded partly in the nature of man and much upon artifice. There is undoubtedly a difference in the mental and physical constitution of men, inclining them one way or the other in political affairs. Some distrust the people, others confide in their capacity for self-government. Some prefer a quiet government, others a stormy turbulence. The condition of men, also, has much to do with party; some are poor and lowly as to property but proud in their hearts; others rich and well-born with a power to make their pride felt by others. Some are ignorant and feeble-minded, others shrewd and intelligent; some are rough and ill-bred, others polished and graceful. In a word some have superior advantages which create them into a caste of their own. That portion enjoying these superior advantages are apt to look down upon their less-gifted fellow-citizens with contempt or indifference; and to feel that as they are superior in some respects they ought to be in all. They can have but little patience with the idea that the rabble is to govern the country. The people in humble condition look up to them with resentment and detestation. These remarks are not invariably true of either side, but it will be accorded to me that almost every neigh-

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borhood has some one richer than the rest who puts on airs of importance and manifests such a want of sympathy with his fellows as to disgust his humbler neighbors; amongst whom there are those who, full of ill-nature, look upon such pretensions with envious resentment. These little big men on both sides, of the neighborhood sort, are apt to feel the most thorough hatred for each other; their malice often supplying the place of principle and patriotism. They think they are devoted to a cause when they only hate an opponent; and the more thoroughly they hate the more thoroughly are they partisans. Here originates the hostility between democracy and aristocracy, as it is said to exist in this country; and here originates the feeling of proscription which is more violent amongst mere neighborhood politicians, men who never expect an office, than among politicians who have risen to distinction. The eminent politicians on each side frequently feel a liberality personally to an adversary which cannot be manifested without losing the confidence of their humbler friends.

And this state of things is kept up by the party newspapers on each side, the editors of which well know that their most profitable harvest is during an excited contest. Newspapers are then more sought for and

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read; and then it is that an editor's funds best support him with money and patronage. It may be said with truth that a partisan editor is a continual candidate for the favor of his party; for which reason it is his interest to make political contests interminable. The great mass of the people who take newspapers at all generally content themselves with one political paper of their own party. This and no other, except in the towns, they read from week to week and from year to year until they become thoroughly enlisted in all the quarrels of the editor and imbued with all his malice and prejudice; and thus they become bound up in the most ill-natured, narrow-minded, pedantic conceits; fully convinced that their way, and no other, is right, and that all persons of the opposite party know it to be so. They feel assured that their political opponents, and particularly those of them who are elected to office, are a set of insufferable rogues, bent upon the enslavement of the people or the ruin of the country. The rascality of the whigs, in the opinion of the democrats, is to end in enslaving the people, or to transfer the government to some foreign power; and the rascality of the democrats, in the opinion of the whigs, is to ruin the country. It is probably true that in

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something like this is the natural difference founded upon which parties will continue to be built, and that all efforts to get up third parties not founded upon this difference, and all efforts to make new and merely temporary issues the permanent foundation of party, must be abortive.

Some men are attached to one and some to the other party from conviction, interest, or the prejudices of education. I have already said that there was no question of principle such as now divides parties involved in the first election of Gen. Jackson. I speak only of Illinois. But as the measures of Gen. Jackson's administration were unfolded it was discovered that he favored the doctrines of the old republican party. His attack upon the United States Bank, his veto of its charter in 1832, removal of the deposits in 1833, the expunging resolutions, and the specie circular rallied all to his party who were of a nature to be hostile to the power of wealth. This is not to say that all wealthy men were excluded from or all poor ones included in the democratic party. Many wealthy persons still remained democrats from principle, interest, or ambition; and many poor men attached themselves to the opposite party for like reasons. There is a class of the poor over whom it is natural

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for the wealthy to exercise an influence; this class most generally lack the boldness and vigor to think and feel for themselves. Some are attached to the "rich and well-born" on account of their accomplishments and virtues, and others find it their interest to adhere to them. And there is always a class of wealthy men who from pure benevolence or from the love of the importance their wealth gives them as leaders attach themselves to the democracy. The Jackson party had long called themselves democrats; the other party called themselves democratic republicans. The democrats began to call their opponents federalists; and these opponents in 1833 or '4 began to call themselves whigs, a popular name of the revolution. The whigs, to be even with the democrats for calling them federalists, which they greatly resented, about the year 1837 gave to the democrats the name of locofocos, which they had persisted in calling the democrats ever since.<sup>75</sup> The whigs, knowing the influence of mere

<sup>75</sup> From about 1837 to 1860 the Democratic Party was called by its opponents the Locofoco Party. The name is supposed to have originated in New York City in 1835 when in a factional squabble at Tammany Hall a radical faction seized control of the city caucus, and when the opposition turned off the gas by which the room was lighted, produced candles and lighting them with locofoco matches continued the meeting.

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words in all human affairs, gave this uncouth name to the democrats in hopes thereby to make them ashamed of it, disavow it, and prefer the name of whig. It has had no effect whatever on elections; but the whigs still keep it up as if it had a power in it to blister and destroy, and no consideration on earth can induce them to relinquish it. In all this there are just two things which are remarkable. It is remarkable that the whigs, by the mere influence of the newspapers, without any open agreement, have from one end of the Union to the other adopted this name for their opponents and have adhered to it now for nine years as the only name by which their opponents shall be known; and it is remarkable that the democratic party should have no squeamish men in its ranks to run away from, or be disgusted with a party having so uncouth a name.

Our old way of conducting elections required each aspirant for office to announce himself as a candidate. The more prudent, however, always first consulted a little caucus of select, influential friends. The candidates then travelled around the county or State in proper person, making speeches, conversing with the people, soliciting votes, whispering slanders against their opponents, and defending themselves against the at-

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tacks of their adversaries. But it was not always best to defend against such attacks. A candidate in a fair way to be elected should never deny any charge made against him; for if he does his adversaries will prove all they have said and much more. As a candidate did not offer himself as the champion of any party, he usually agreed with all opinions and promised everything demanded by the people; and most usually promised, either directly or indirectly, his support to all the other candidates for office at the same election. One of the arts was to raise a quarrel with unpopular men, who were odious to the people; and thus try to be elected upon the unpopularity of others, as well as upon his own popularity. These modes of electioneering were not true of all the candidates nor perhaps half of them, very many of them being gentlemen of first-rate integrity.

After party spirit arose so as to require candidates to come out on party grounds there was for a time no mode of concentrating the action of a party. A number of candidates would come out for the same office, on the same side. Their party would be split up and divided between them. In such a case the minority party was almost sure of success, this being the only case in which one is stronger than many. As party spirit in-

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creased more and more, the necessity of some mode of concentrating the party strength became more and more apparent. The large emigration from the old States, bringing with it the zeal and party organization in which it had been trained from infancy gave a new impulse to the consolidation of the strength of party. An attempt at this was early made by the New England and New York people living in the north part of the State, by introducing the convention system of nominating candidates.

This system was first tried in counties and districts in the north; but on account of the frauds and irregularities which first attended it, small progress was made in it from 1832, when its introduction was first attempted, until 1840, the people generally preferring the election of independent candidates. In 1837 Judge Douglas was nominated for Congress in the Peoria district and in the winter of 1837 Col. James W. Stephenson was nominated by a State convention as a candidate for governor; and upon his inability to serve on account of sickness Thomas Carlin was nominated in the same way in the summer of 1838.

At first the system encountered the furious opposition of the whigs, who, being in the minority, were vitally interested to pre-



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vent the concentration of the democratic strength. The western democrats looked upon it with a good deal of suspicion. It was considered a Yankee contrivance, intended to abridge the liberties of the people by depriving individuals, on their own mere motion, of the privilege of becoming candidates, and depriving each man of the right to vote for a candidate of his own selection and choice. The idea of conventions was first brought into the middle and lower part of the State by Ebenezer Peck, Esq., a member of the bar at Chicago, a man of plausible talents, who had formerly resided in Canada. He had there been elected to the provincial parliament by the liberal party in opposition to the ultra monarchy party. But he had not been long in parliament before the governor of Canada appointed him King's Counsel, in return for which favor Mr. Peck left his old friends to support the ultra monarchists. His position was an uneasy one; so before long he resigned his offices and removed to Chicago. Here he attached himself to the democratic party but on account of his defection in Canada anything coming from him was viewed with suspicion and prejudice by many.

At a great meeting of the lobby during the special session of 1835-'6 at Vandalia, Mr.

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Peck made the first speech ever made in the lower part of the State in favor of the convention system. He was answered by William Jefferson Gatewood, democratic senator from Gallatin county, and some considerable interest was awakened on the subject among politicians. From this time the system won its way slowly, and now all the candidates for governor, lieutenant governor, and members of Congress are brought before the people by conventions, and it pervades two-thirds of the State in nominating candidates for the legislature.

The system has some advantages and disadvantages in this country. Those in favor of it say that it furnishes the only mode of concentrating the action of a party and giving effect to the will of the majority. They justly urge that since the organization of parties the old system of electing from personal preference is carried into each party in the mere selection of candidates, which distracts the harmony of a party by introducing competition amongst distinguished men for the mere privilege of becoming candidates, without any means of deciding between them except at the polls. Accordingly it is strictly true that where two or more men of the same party are candidates without a nomination they are apt to hate each other

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ten times as intensely as they do the prominent men of the opposite party. A whig is to be elected by whigs, a democrat by democrats. The success of either depends upon the number and strength of their respective parties; but an aspiring whig or democrat has still to seek support in his own party in opposition to his own prominent political friends by a canvass of his merits as a man. Such being the case it is not likely that the ambitious men of the same party who are excited against each other by mere personal contests will decline in favor of others so as to have but a single candidate for the same office in the same party. Without a nomination, a party may be greatly in the majority, but by being divided on men the minority may succeed in the elections and actually govern the majority. To remedy this evil it was proposed by conventions of delegates, previously elected by the people, to provide but a single set of candidates for the same party. It was also urged by some that these bodies would be composed of the best-informed and principal men of a party, and would be more competent than the people at large to select good men for candidates. This body to the people would be like a grand jury to a circuit court. As the court would have no power to try any one for

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crime without a previous indictment by the grand jury, so the people would have no right to elect any one to office without a nomination by a convention. In the one case innocent men could not be publicly accused and tried for crime without a private examination of their guilt and establishing a probability of its existence; so the people would be restrained from electing any one to office without a previous nomination of a body more fitted to judge of his qualifications. The convention system was said to be a salutary restraint upon universal suffrage, compelling the people to elect men of standing who alone could be nominated by conventions.

On the other side it was urged that the whole convention system was a fraud on the people; that it was a mere fungus growth engrafted upon the constitution; that conventions themselves were got up and packed by cunning, active, intriguing politicians to suit the wishes of a few. The mode of getting them up was for some active man to procure a few friends in each precinct of a county to hold primary meetings where delegates were elected to county conventions, who met at the county seats and nominated candidates for the legislature and for county offices; and appointed other delegates to dis-

## The Internal Improvement Era

strict and State conventions to nominate candidates for Congress and for governor. The great difficulty was in the primary meetings in the precincts. In the Eastern States, where conventions originated, they had township governments, little democracies, where the whole people met in person at least once a year to lay taxes for roads and for the support of schools and the poor. This called the whole people of a township together, enlightened their minds, and accustomed them to take a lively interest in their government; and whilst assembled they could and did elect their delegates to conventions. In this mode a convention reflected the will of a party as much as the legislature reflected the will of the whole people. But how is it in Illinois? We had no township governments, no occasions for a general meeting of the people, except at the elections themselves; the people did not attend the primary meetings; a few only assembled who were nearest the places of meeting, and these were too often mere professional politicians, the loafers about the towns, who having but little business of their own were ever ready to attend to the affairs of the public. This threw the political power out of the hands of the people, merely because they would not exercise it, into the

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hands of idlers—of a few active men who controlled them. If any one desired an office he never thought of applying to the people for it; but passed them by and applied himself to conciliate the managers and idlers about the towns, many of whom could only be conciliated at an immense sacrifice of the public interest. It is true that a party had the reserved right of rebellion against all this machinery; no one could be punished for treason in so doing otherwise than by losing the favor of his party and being denounced as a traitor; which was almost as efficacious in restraining the refractory as the pains and penalties of treason, the hanging and disembowelling of former times.

My own opinion of the convention system is that it can never be perfect in Illinois without the organization of little township democracies such as are found in New York and New England; that in a State where the people are highly intelligent and not indifferent to public affairs it will enable the people themselves to govern by giving full effect to the will of the majority; but among a people who are either ignorant of or indifferent to the affairs of their government the convention system is a most admirable contrivance to enable active leaders to govern without much responsibility to the people.

## The Internal Improbement Era

By means of the convention system and many exciting contests the two parties of whigs and democrats were thoroughly organized and disciplined by the year 1840. No regular army could have excelled them in discipline. They were organized upon the principles of national politics only, and not in any degree upon those of the State. The first effect of this seemed to be that all ideas of State rights, State sovereignty, State policy and interests, as party questions, were abolished out of men's minds. Our ancestors had greatly relied upon the organization of State sovereignties as checks to anti-republican tendencies and national consolidation. For this purpose all the State constitutions, Illinois amongst the rest, had declared that no person holding an office under the United States should hold an office under the State government. The object of this was to sever all dependence of the State upon the national government. It was not permitted the President to appoint the officers of the State governments for this would at once lay the State governments at the feet of the President. But if the State officers were not appointed by the President they were elected upon a principle which made them, if belonging to his political friends, as subservient to his will as if he had appointed

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them. The President was the leader of his party in the nation and there was no principle of party in the State but this. Men were elected to office upon the popularity of the President and upon the principles which the President put forth; and they were thus compelled in self-defence to support and defend him through good and evil, right or wrong, as much as if they owed their offices to his gift. Besides this their parties absolutely required them to do so. It may be remarked here as a curious fact that the politicians all over the nation pretending to be most in favor of State rights and State sovereignty have contributed most to overthrow them by forever insisting upon the organization of parties purely upon national questions.

This dependence of State upon national politics and the exclusive devotion of State politicians to national questions was the true cause why so little attention was paid to the policy of the State. These remarks are equally applicable to both political parties. But it is as necessary that the affairs of the United States should be attended to by the people as those of the State, and the misfortunes which a neglect of affairs at home has caused may possibly have been the price of government in the nation.



## The Internal Improvement Era

A new legislature was elected in 1840, which, although they were chosen under the influence of the presidential election of that year, were obliged to think somewhat upon the public condition. The fund commissioners stated the difficulty of meeting the January interest of 1841. As yet the canal had not wholly stopped and the canal men were interested to keep up the credit of the State; and something desperate must be done for that purpose.

The canal contractors had taken their jobs when all prices were high. By the fall of prices they could make a large profit on their work and lose twenty-five per cent. They, therefore, had agreed to take a million of State bonds at par in payment of their estimates. Gen. Thornton was deputed to go to Europe with the bonds and sell them for what they would bring, not less than seventy-five per cent; the contractors suffering the loss. This they could well afford to do; and by this expedient the work on the canal had been continued long after that on the railroads had been abandoned. The canal was not yet looked upon as dead, and a great effort was to be made to raise the means to keep it in life and sustain the credit of the State, without which it was known that the canal would not live an hour.

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The time was short, only six weeks until the interest would become due; and many expedients were proposed to raise the money; but the one which met most general favor was a new issue of bonds to be hypothecated for whatever they would bring in market. This was a desperate remedy, and showed the zeal of the legislature in sustaining the public honor. It proposed a plan of raising money which, if pursued as the settled policy of the State, must end in utter ruin. Nevertheless it was but feebly opposed on this ground. The principal ground of opposition was an objection to paying interest at all; and particularly to paying interest upon bonds for which the State had received nothing, or less than par. Now was heard for the first time any very earnest complaints against the acts of the fund commissioners in selling bonds on a credit and for less than their face; and it was seriously and earnestly contended, first, that the State was hopelessly insolvent, that any effort to pay would be ridiculous and futile, and secondly, that the State was not bound to pay interest on more money than had been actually received. An amendment to this effect was offered and strenuously insisted on.

On the other hand it was insisted with reason that the State was bound to do

## The Internal Improbement Era

everything in its power to meet its engagements; that if bonds had been erroneously issued it had been done by the State agents, selected and chosen by the State itself; for whose conduct the State must be responsible. It was admitted that if such bonds remained in the hands of the original purchasers, as to them the State would be entitled to a deduction for money not actually received. But it was as earnestly contended that if such bonds had passed into the hands of *bona fide* holders who were no parties to the original deficiency of consideration the State was liable in equity as well as at law to pay the face of the bond. There seems to be an obvious propriety in this view of the case, because the bonds were issued by State agents, appointed by the State, not by its creditors. The constituted authorities of the State ought to have chosen better men for public trusts; and if they did not do so the State is justly responsible for their blunders. It seems to be a principle of law as well as of equity that if the State selects bad men, or those who are incompetent to act as its agents, the State thus abusing its power, and not individuals who had no hand in their appointment, ought to suffer the consequences of its folly or want of devotion to its own interests. This doctrine, if estab-

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lished, will be a lesson to the people and teach them to be considerate and careful in electing their public servants.

These conflicting opinions were near preventing any action on the subject at this session. At last Mr. Cavarly, a member from Greene, introduced a bill of two sections authorizing the fund commissioner to hypothecate internal improvement bonds to the amount of \$300,000, and which contained the remarkable provision that the proceeds were to be applied by that officer to the payment of all interest *legally* due on the public debt. Thus shifting from the General Assembly and devolving on the fund commissioner the duty of deciding on the legality of the debt. And by this happy expedient conflicting opinions were reconciled without direct action on the matter of controversy; and thus the two houses were enabled to agree upon a measure to provide temporarily for the payment of the interest on the public debt. The legislature further provided at this session for the issue of interest bonds to be sold in the market for what they would bring; and an additional tax of ten cents on the hundred dollars worth of property was imposed and pledged to pay the interest on these bonds. By these contrivances the interest for January and July,

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1841 was paid. The fund commissioner hypothecated internal improvement bonds for the money first due; and his successor in office, finding no sale for Illinois stocks, so much had the credit of the State fallen, was compelled to hypothecate \$804,000 of interest bonds for the July interest; on this hypothecation he was to have received \$321,600, but was never paid more than \$261,500. These bonds have never been redeemed from the holders though eighty of them were afterwards repurchased, and \$315,000 of them were received from the Shawneetown Bank for State stock in that institution.

## Chapter 7

JUDICIAL AND FINANCIAL ISSUES,  
1838-1842

THERE were other measures of great interest to the people which came before the legislature of 1840, the principal of which was a bill to reform the Judiciary.

The people of the State at the election of 1840 had sustained Mr. Van Buren, the democratic candidate for President, and both branches of the legislature were largely of the same party. The majority of the judges of the supreme court were whigs. Judge Smith was the only democratic member of the court, whilst Chief Justice Wilson and his associates Lockwood and Brown were of the minority party. It is due to truth here to say that Wilson and Lockwood were in every respect amiable and accomplished gentlemen in private life, and commanded the esteem and respect of all good men for the purity of their conduct and their probity in official station. Wilson was a Virginian of the old sort, a man of good education, sound judgment, and an elegant

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writer, as his published opinions will show. Lockwood was a New Yorker. He was an excellent lawyer, a man of sound judgment, and his face indicated uncommon purity, modesty, and intelligence together with energy and strong determination. His face was the true index of his character. Brown was a fine, large, affable, and good-looking man, a tolerable share of tact and good sense, a complimentary, smiling and laughing address to all men, and had been elected and continued in office upon the ground that he was believed to be a clever fellow. Two great political questions had been brought before this court, one of which they decided contrary to the views and wishes of the democratic party and the other question was yet pending but it was believed would be decided in the same way.

These were the questions: When Governor Carlin was elected in 1838 he claimed the power to appoint a new Secretary of State. Alexander P. Field was the old Secretary. He had been appointed by Governor Edwards ten years before and had been continued in office without any new appointment under both Reynolds and Duncan. He was a whig and Gov. Carlin was a democrat; and as the Secretary of State is not only a public officer but a sort of confidential

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helper and adviser of the executive, Gov. Carlin claimed the right of selecting this officer for himself and from his own party. The governor nominated to the senate Mr. McClernand of Gallatin county. The whigs of the senate and some democrats, enough to constitute the majority, decided that the tenure of the office might be defined and limited by the legislature but that until they did so the Secretary could not be removed and a new one appointed. The governor and his friends contended that he had the power of removal and appointment at all times, to be exercised at his discretion. The governor made five or six different nominations, all of which were rejected by the senate.

After the legislature adjourned the governor again appointed Mr. McClernand, who demanded the office of the old Secretary of State and was refused. Mr. McClernand then sued out his writ to try his right to the office. The question was taken to the supreme court and decided against him by Wilson and Lockwood; Judge Smith dissenting and Judge Brown giving no opinion, on account of relationship to Mr. McClernand. This at the time was supposed to be a great question. The ablest counsel in the State were employed, and the decision of the judges is elaborated to such a degree as to



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show their opinion of its consequences. The decision raised a great flame of excitement and the democrats contended that the odious doctrine of life-officers had been established by it. In 1840 the governor found no difficulty in getting his nomination confirmed. The senate was now largely democratic, probably caused by this decision of the court. But the other great question was still pending; and a fear that it might be decided against the democrats determined that party to reform the Judiciary.

The Constitution provides that all free white male *inhabitants*, over the age of twenty-one years, who have resided in the State for six months, shall be entitled to vote at all general and special elections. The whigs had long contended that this provision did not authorize any but citizens to vote; whilst the practice had been, ever since the Constitution was formed, to allow all to vote, whether citizens or aliens, who had been in the State six months. This question had been much talked of and canvassed in every part of the State. It produced much excitement, as it naturally would when two great parties were arrayed on it, and when it was believed by both parties that the alien vote in the State was sufficient to decide the elections.

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In this state of the case two whigs of Galena made an agreed cause to be decided by the circuit court. It was not argued on either side, and the judge, who was a whig, decided that aliens were not entitled to vote. This was all done so quietly that it was near passing without notice. But when the decision was published it threw the leaders of the democratic party into perfect consternation. By this time the alien vote was supposed to be about 10,000 strong, nine-tenths of which was democratic.

The leaders of the party took measures to carry the case to the supreme court. Numerous and able counsel on each side had been heard on it there in December, 1839, and it was continued until the following June. It was universally believed, from certain intimations, that a majority of the judges had determined to decide against the aliens. In June the democratic lawyers succeeded in finding an imperfection in the record which caused another continuance until December, 1840, and until after the presidential election. This was thought to be a great feat of dexterity and management, as by that means the alien vote was secured at all events for one more election, and more particularly for the presidential election of that year. In this, as well as in the other

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case of the Secretary of State, I think the whigs were clearly wrong. It is a principle in all our constitutions that the appointing power, when exercised by a single person or by a body of men who can conveniently act, must necessarily possess the power of removal from office; and in the other case it was equally clear that the word inhabitant must mean an alien as well as a citizen. But it was also alleged that this provision of our constitution, if construed to allow an unnaturalized alien to vote, would come in conflict with the Constitution of the United States, which gives to Congress the power of passing uniform naturalization laws. It was contended that as no foreigners by those laws could be naturalized without a residence in the country for five years, the State could not confer the elective franchise upon one who had resided in it only six months. The obvious answer to all this is that the Constitution of the United States was never intended to give Congress the power of interfering with the right of suffrage. If it had contained such a provision, so various were the different State Constitutions on this subject at the time it was adopted and so jealous were the States of their sovereignty, that the Constitution of the United States would never have been ratified. Be-

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sides this citizenship alone was never construed in any State to confer the elective franchise; there being many citizens in every State, in some more and in others less, who were not allowed to vote. And it seemed to be a legitimate and unanswerable argument that if citizenship alone did not confer the right of voting, the want of it alone could not take it away.

However it was believed that the whig judges, right or wrong would decide with their party. And here I would remark that the highest courts are but indifferent tribunals for the settlement of great political questions, supposing such settlement no longer to rest on physical force, but to rely for its authority upon the conviction of the public judgment. In this sense, such questions can never be settled except by the continued triumph of one party over the other, in which case the minority yields from despair of success. The judges are but men. In all the great questions which arise and which divide the people into parties they will never fail to have their preconceived opinions, as well as others, and those opinions must necessarily be biased by their political predilections. But it is said that party men and politicians ought not to be judges of the courts. It would be better, if

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this were possible. At a time when the whole people are divided and convulsed by the agitation and discussion of great party measures and principles it would be strange indeed if gifted and talented men could be found with a power of thought making them fit for the office, and yet who have never formed any opinions on such subjects. The most that the judge can do to disarm the public or party prejudice is to conceal his opinions; but the knowing persons of the opposite party are no less certain that he has them. It may, therefore, be said of the ablest and best judges, those most celebrated for dispensing equity and justice in common cases between individuals, that when any great political question on which parties are arrayed comes up for decision, the utmost which can be expected of them is an able and learned argument in favor of their own party, whose views they must naturally favor for the very reason that they prefer one party to the other. Such a decision, therefore, can never be satisfactory to the opposite party, which well knows that if the judges had been of a different political complexion the decision would have been otherwise. And, therefore, no such party decisions, not based upon the power of majorities of the people, can ever be a

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satisfactory settlement of this description of questions.

As I have said before, the legislature in 1835 had created circuit courts and elected circuit judges, the number of whom had by this time increased to nine. The plan of reform now was to abolish these courts, repeal the judges out of office, and create five additional judges of the supreme court, all of whom were required to hold circuit courts in place of the circuit judges repealed out of office. This arrangement would give the democratic party a majority of two to one on the Supreme bench. The measure was introduced into the Senate by Adam W. Snyder, a senator from St. Clair county; a district containing a larger foreign vote than any other in the State. A long and violent struggle ensued; and at times it was doubtful whether it would pass. It was confessedly a violent and somewhat revolutionary measure and could never have succeeded except in times of great party excitement. The contest in the Presidential election of 1840 was of such a turbulent and fiery character, and the dominant party in this State had been so badly defeated in the nation at large by the election of Gen. Harrison that they were more than ever inclined to act from motives of resentment and a feeling of

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mortification. The dominant party therefore came to the work thirsting for revenge, as well as with a determination to leave nothing undone to secure their power in this State at least. Notwithstanding this disposition on the part of the democracy, many members of the legislature belonging to that party were drawn to the support of the measure with a great deal of difficulty; others opposed it outright, and upon no terms and with no appliances of party machinery and discipline could be brought to support it. The fate of some of these democrats affords a melancholy lesson. They were denounced by their friends and turned over to the whigs. But, so far as I know, they have ever since been found acting with the party, though they have never been able to recover its confidence. The excitement has gone by; the party itself has been pretty generally convinced that the system then adopted ought to be abandoned; that the supreme court ought to be constituted as it was before; yet these democrats, many of them, are still under the ban; so true it is that in all party matters a breach of discipline, a rebellion against leaders, is regarded as infinitely more offensive than the mere support of wicked or unwise measures or opposition to good ones. A party never holds its members

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to account for supporting the worst sort of measures or opposing the best ones unless the leaders have made them the test of fidelity to party; but woe to him whose conscience is so tender that he cannot support, or opposes the measures decreed by his party. Woe to him who is guilty of a breach of discipline, or who rebels against leaders. In all matters of party there are two things to be considered; the principles of the party and its discipline. A man may hold all the principles of the party, but if he does not harmonize with its organization he will not be considered as belonging to it. And he will be allowed much of his natural liberty to think for himself and be forgiven much defection of principle if he will only obey leaders and work in the party harness. A party may entirely change its principles and measures whenever the great leaders say the word; but if it still keeps up the same organization and name and has the same leaders no member is to doubt but that it is the same party it was before. The privilege of changing principles and measures is only the privilege of the great leaders, upon consultation and agreement with the lesser ones; and then all the lesser leaders and members of the party can safely follow in the change. But woe to the presumptuous small leader,



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who sets up to change on his own account; or who undertakes to differ with his great leaders on the adoption of new measures not before thought of in former contests. This, gentle reader, is government by moral means; and it seems, in the present state of civilization, that without this kind of government, imperfect and abhorrent to the freedom of thought as it may be, we are to have our choice between anarchy and a government of stern force. In the democratic party such rebellious, free-thoughted, independent little leaders, in the slang language of the day, are called "*tender-footed democrats*," and finally, no democrat, at all; and this I believe to be the case with the other party whenever they have the majority.

The bill was finally passed through both houses and returned by the council of revision with their objections; but was again re-passed through both houses, in the Senate by a large majority, in the House by a majority of one vote. By this means the new Secretary of State was secured in his office and the democratic party was secured in the continued support of the alien vote; for all the new judges elected at this session were as thoroughly satisfied of the right of each governor to appoint his own Secretary of State and of the right of alien inhabitants

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to vote as the whig judges could be to the contrary.

During the pendency of this question before the legislature the whig judges decided the alien case from Galena. They, however, did not decide the main question. The case went off upon another point, which it was charged by the democrats that the whig judges had hunted up on purpose to dispose of the case without deciding it, in the hope that when the dominant party could see that they were no longer threatened with a decision contrary to their wishes they would abandon their reform measure. This charge was boldly made by Judge Douglas in a speech in the lobby of the House one evening after an adjournment. Douglas had been one of the counsel for the aliens; and it appeared from his speech that he and Judge Smith had been in constant communication in relation to the progress of the case. Judge Smith (I regret to say it of a man who is no more) was an active, bustling, ambitious, and turbulent member of the democratic party. He had for a long time aimed to be elected to the United States Senate; his devices and intrigues to this end had been innumerable. In fact he never lacked a plot to advance himself or to blow up some other person. He was a laborious

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and ingenious schemer in politics; but his plans were always too complex and ramified for his power to execute them. Being always unsuccessful himself, he was delighted with the mishaps alike of friends and enemies; and was ever chuckling over the defeat or the blasted hopes of some one. In this case he sought to gain credit with the leading democrats by the part he took, and affected to take, in the alien case, as he had before in the case of the Secretary of State. He it was who privately suggested to counsel the defect in the record which resulted in the continuance in June, 1840; and during the whole time the case was pending, with the same view he was giving out to Douglas and others the probable opinion of the court. He affirmed that the judges at one term all had their opinions written ready to deliver, and all but himself deciding against the aliens; and that the case would have been so decided if he had not discovered the aforesaid defect in the record. Upon his authority Douglas denounced the court and brought all these charges against the whig judges and endeavored to make it appear that they had now only evaded a decision for the time being in the vain hope of stopping the career of the legislature. The judges on their part denied all these charges; and Judge Smith, uniting

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with the whig judges, published their denial in the Sangamon Journal newspaper at Springfield. Douglas was immediately sustained as to the statements of Judge Smith by the published letters of half a dozen other gentlemen of veracity to whom Judge Smith had made similar statements.

But allowing all that was said to be true, and there is now no doubt that the whole of it was false, it is feared that if the right mode of reformation had been adopted the legislature would have punished an offence which they had themselves caused the court to commit. The judges may possibly have feared being put upon the laborious duty of holding circuit courts, from which they had been relieved for several years; and they may have supposed that the reform measure, as it was called, would be put an end to as soon as the democrats ceased to fear a decision against them in the alien case. If they thought so they had but little knowledge of the spirit and genius of party. The democrats, by a thorough change in the constitution of the court, desired to obtain full security for the future. Independent of this, when a measure once becomes a party measure it cannot be suddenly abandoned. And besides this, again, a party scarcely ever stops at the accomplishment of its wishes

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unless brought about by its own favorite measures and by something that it has done itself. I have more than once known a party to persist in urging a measure long after its wishes had been accomplished by other means.

Ever since this reforming measure the judiciary has been unpopular with the democratic majorities. Many and most of the judges have had great personal popularity; so much so as to create complaint of so many of them being elected or appointed to other offices. But the bench itself has been the subject of bitter attacks by every legislature since. The two houses have almost come to the opinion that as they are numerous bodies, fresh from the people every two and four years, the other departments of the government, the executive and judiciary, are mere excrescences on the body politic, which ought to be pruned away. As to Judge Smith, he made nothing by all his intrigues. By opposing the reform bill he fell out and quarreled with the leaders of his party. He lost the credit he had gained by being the democratic champion on the bench, and failed to be elected to the United States Senate; and was put back to the laborious duty of holding circuit courts. Thus bringing upon himself, by his active efforts to de-

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stroy the character and influence of the court of which he was a member, the just desert of his conduct.

The judges of the supreme court had been withdrawn from holding circuit courts for six years; consequently they had lost their political influence, which now attached itself to the circuit judges, who had a better opportunity of becoming acquainted and making friends among the people. The supreme court, as a co-ordinate branch of government, had become weak; so true is it that the actual power to be exercised by either branch of government depends less upon the powers conferred in the Constitution than upon the moral power of popularity and influence with the people and their representatives. For this reason many believed it to be necessary to restore the judges of the supreme court to circuit duties, in order to give political vigor to the judiciary department; so as to enable them to act with independence and thus preserve the balances of the constitution.

No further attempt was made after July, 1841, to pay interest on the public debt. For want of full knowledge of her condition abroad, and of the condition of other new States, in a short time Illinois and some others in the west became a stench in the nos-

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trils of the civilized world. The people at home began to wake up in terror; the people abroad who wished to settle in a new country avoided Illinois as they would pestilence and famine; and there was great danger that the future emigrants would be men who, having no regard for their own characters, would also have none for that of the State where they might live. The terrors of high taxation were before all eyes, both at home and abroad. Every one at home wanted to sell his property and move away, and but few either at home or abroad wanted to purchase. The impossibility of selling kept us from losing population; and the fear of disgrace or high taxes prevented us from gaining materially.

To add to the general calamity and terror of the people, in February, 1842, the State Bank, with a circulation of three millions of dollars, finally exploded with a great crash, carrying wide-spread ruin all over the State and into the neighboring States and territories. In June following, the bank at Shawneetown "followed in the footsteps of its illustrious predecessor," leaving the people almost entirely without a circulating medium. The paper of these two banks had been at a discount for specie ever since the United States refused to receive it for the

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public lands and to make the banks depositories of the public moneys. At first the discount was small, two or three per cent, but in two or three years advanced to twelve and fifteen per cent, and then came the crash. The banks, however, managed to make their paper the standard of par; and specie, and other paper of less credit, was above or below par. The discount was sufficient, for three years before, to banish all good money from circulation; so that when the banks failed, the people were left without money until supplied by the course of trade, which, in a country so little commercial as Illinois at that time, was a slow process. When I came into office in 1842 I estimated that the good money in the State in the hands of the people did not exceed one year's interest on the public debt.

That which contributed the last spark to the explosion of the State Bank was the course of some of the State directors, who were contractors to finish the northern cross railroad, and who were to be paid in canal bonds, which at the time were unsaleable. These interested parties, joining with others in the directory, established it as a principle that the bank could not issue an excess of its paper whilst in a state of suspension. This



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they did to get loans from the bank to carry on their work on the road; and having obtained money themselves upon this principle, they were obliged to vote loans to all others. But experience soon showed that the principle was false, for no sooner was more paper put into circulation than could be sustained by the business of the country than the bank exploded. It may be added to this that the State Bank, to obtain favor from the legislature, was compelled to make loans to the State, and to advance its bills for auditor's warrants for a large amount to defray the ordinary expenses of government; the revenues being again insufficient and the legislature afraid to increase the taxes. When I came into office the State owed the bank on this account two hundred and ninety-four thousand dollars.

A somewhat similar connection with the State assisted much to break the Shawneetown Bank. That bank was first induced to lend the State about \$80,000 to finish the State House; and in September, 1839, upon the recommendation and urgent request of Governor Carlin, and upon his promise to deposit \$500,000 in internal improvement bonds as collateral security, which promise was never performed, the bank was induced to lend the Commissioners of Public Works

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the further sum of \$200,000, which was never repaid to it.\*

Upon the whole, we have heard much said by demagogues about our swindling banks; but it would be an easy matter to show that if the banks had swindled only one quarter as much as they have been swindled by the State and by individuals they would have been perfectly solvent and able to pay every dollar of their debt; and what is most remarkable is that those who have swindled the banks most are the most loud in their cries against them for swindling.

As I have elsewhere said, these banks first suspended specie payments in the spring of 1837. In that year the suspension was legalized to save the canal and internal improvement system. I do not know the reason why this favor was continued by the session of 1838-'9, or any of the following sessions until 1841. But I do know that all or nearly all of the leading democrats opposed the measure. This was a new manifestation of hostility on the part of the democrats to these banks; and this, again, was cause enough to rally the main body of the whigs in their favor; and this, again, was of immense advantage to the banks in sustaining

\* See reports of House of Representatives, 1842-'3, pages 203, '4, '5.

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their credit. The merchants and business men all over the country were mostly whigs. They believed that the banks were unjustly persecuted by the democrats, that they were perfectly solvent, and that all the objections of the democrats amounted to no more than senseless clamor.

In the meantime the State Bank had been made the depository of the State revenues. The collectors had been required to pay the revenues arising from taxation into this bank, as into the public treasury. All auditors' warrants were drawn upon the bank, which were paid in its own paper. In this mode the legislature and all public officers were paid in the paper of the bank; for as nothing better was paid in nothing better could be paid out. This gave the bank a decided advantage over the legislature. It was in the power of the bank to send the members home without their pay, except in auditors' warrants at fifty per cent discount, unless something should be done to sustain the credit of its paper. This lever, and a few opportune loans to some democrats, together with the aid of the whigs, commanded relief at the session of 1841. This session was called two weeks earlier than usual for the purpose of providing means to pay the interest on the public debt becoming due in

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January, 1841. The democrats contended that this early commencement was a special session, and that the regular session must be commenced anew on the first Monday of December following the first meeting. The whigs contended that the two sessions only made one and refused to support a *sine die* adjournment on the Saturday preceding the first Monday in December. This was then supposed to be a very vital question. The democrats supposed that such an adjournment would put an end to the banks, as the previous law had provided for a resumption of specie payments before the adjournment of the next session of the general assembly, or otherwise they were to forfeit their charters. This was a session of much bitterness and personal hatred. The democrats came up from the people inflamed with the highest degree of resentment against the banks and the judiciary; and the whigs came with an equal hatred of the democrats, and a firm determination, as a general thing, to oppose whatever the democrats might favor. I believe it is a principle of all great political parties that they cannot be very far wrong if they disagree to everything proposed by their adversaries. The whigs took ground in favor of the banks, the democrats against them. The question was on the *sine die* ad-

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jourment of the special session. The whigs saw that the adjournment would carry. To defeat it, they began to absent themselves from the house, so as not to leave a quorum. A call of the house was made and its officers were sent out to bring in and secure the attendance of the absent members. The doors were closed to prevent further escapes, but nevertheless some of the whigs jumped out of the windows, but not enough to defeat the purpose of the dominant party. The session was adjourned and according to the views of the democrats the banks were at an end. The bank party had been defeated and the democracy had obtained at last a great and glorious victory. But the victory could not be secured; for before the end of the regular session in December the banks obtained a further privilege of suspension, and the State Bank obtained an additional privilege which had never been granted to it before, that of issuing one, two, and three-dollar notes. So much for a democratic victory. This privilege of issuing small notes, it was thought, would aid the banks in making an earlier resumption. They immediately flooded the country with small notes in place of the large ones. This banished the silver dollar from circulation. It destroyed the specie basis all over the country and made it im-

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possible for the banks to increase their stock of precious metals except by purchase. All deposits and payments were made in the only circulation then in the country. The banks might lose specie, but they could not increase it. I think I hazard nothing in saying that this privilege of issuing small notes did as much mischief to the banks themselves as it did to the people at large.

During the whole of this long and angry contest the whigs accused the democrats of making war upon the commerce and the currency of the country. These banks were termed the institutions of the country and war upon them, in the language of the whigs, was war upon the institutions of the country. In whig estimation the democrats were disloyal, destructive, and opposed to government. The whigs, in the estimation of the democrats, were a set of bank vassals, and were frequently called by the democrats the ragocracy. The presidents and directors of banks were called rag-barons; bank paper was called bank rags and written or printed lies; whilst the whole body of the whig party were, from an excess of hatred, termed the British-bought, Bank, blue-light, federal, whig party.

Our whig friends contended that the continual and violent opposition of the demo-

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crats to the banks destroyed confidence; which, by-the-bye, could only exist when the bulk of the people were under a delusion and believed in a falsehood. According to their views, if the banks owed five times as much as they were able to pay, and the people owed to each other and to the banks more than they were able to pay, and yet if the whole people could be persuaded to believe the incredible falsehood that all were able to pay, this was "confidence," which, if once destroyed, could only be restored by the restoration of a similar general delusion.





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